

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

964 MISC.CIVIL APPLICATION NO.213 OF 2019

DR. UJJWALA AJINKYA DHAKNE
VERSUS
DR. AJINKYA BANSIDHAR DHAKNE

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Advocate for Applicant : Mr. N. C. Garud
Advocate for Respondent : Mr. Vaibhav Shinde h/f
Mr. R. S. Navandar

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 24/02/2023.**

P. C. :

1. Heard rival submissions
2. It appears that the petitioner had also tried before the learned Principal District Judge, Ahmednagar for transfer of HMP No.187 of 2017 from CJSD, Kopargaon to Ahmednagar earlier, but that application was rejected. However, the learned counsel for the applicant now submits that the applicant - wife has initiated in all three proceedings at Ahmednagar, wherein the respondent – husband has appeared. As such, there is only one proceeding now pending at Kopargaon, which can be conveniently transferred at Ahmednagar in the changed circumstances since at the time of rejecting earlier application, the three subsequent proceedings at Ahmednagar, were not filed by that time. In view of the same, and considering the changed circumstances, the applicant is granted liberty to again approach before learned Principal District Judge, Ahmednagar to transfer HMP No. 187 of 2017 to Ahmednagar Family Court.

3. On filing such application, the learned Principal District Judge, Ahmednagar shall decide the same on its own merits without under influence of the observations made in earlier order dated 15/02/2019 in Misc. Civil Application No. 257 of 2017.
4. With this liberty as aforesaid, the present application stands disposed of.

(SANDIPKUMAR C. MORE, J.)