

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

991 MISC.CIVIL APPLICATION NO.266 OF 2021

**POOJA ABHISHEK GHUGE
VERSUS
ABHISHEK PRABHAKAR GHUGE**

...
Advocate for Applicant : Mr. A.P. Bhandari h/f.
Mr.Shinde Dhananjay M.
Advocate for Respondents : Mr. S. S. Londhe
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06.01.2023

PER COURT :

The learned counsel for the respondent tendered across the bar Vakalatnama on record.

2. Heard rival submissions. The applicant is seeking transfer of HMP No. 85/2021 filed by the respondent -husband for getting divorce from the Court of Joint Civil Judge Senior Division, Washim to Civil Judge, Senior Division, Hingoli.

3. The learned counsel for the applicant submits that the applicant is not having any source of income. Moreover, there is one two years old son to look after. Further the applicant has filed so many proceedings at Hingoli against the respondent including the criminal prosecution under Sections 376 and 498-A of Indian Penal

Code in form of Sessions Trial No. 10/2021. Besides the applicant has also initiated proceeding under The Protection of Women from Domestic Violence Act, 2005 and under Section 125 of the Code of Criminal Procedure against the respondent before the concerned Court of Judicial Magistrate First Class, Hingoli. He pointed out that the respondent in appearing in two of the aforesaid proceedings.

4. The learned counsel for the respondent though strongly opposed the application by considering the fact that the respondent will have to appear regularly in the aforesaid proceeding lodged at the instance of applicant at Hingoli. Further, certain document in form of N.C. report is also on record appears to be lodged by the applicant for the alleged threats given to her by the respondent. In view of the same, and considering the distance of Washim and Hingoli was only 50 kms., it would be rather easier to the respondent-husband than the applicant to attend the dates of all the proceedings at Hingoli. In view of the same following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP No. 85/2021 is hereby transferred from the Court of learned Joint Civil Judge Senior Division, Washim to the Court of learned Civil Judge Senior Division, Hingoli for disposal according to law.

- (iii) The respondent is directed to appear before the Court of learned Civil Judge Senior Division, Hingoli, on or before 01.02.2023.
- (iv) Application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-