

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

1000 MISC.CIVIL APPLICATION NO.272 OF 2022

DIPALI BHUSHAN NITANKAR
VERSUS
BHUSHAN VISHWASRAO NITANKAR

...
Advocate for Applicant : Mr. N. B. Narwade

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 23/03/2023.**

P. C. :

1. Heard learned Counsel for the applicant – wife. The respondent husband, though served but remained absent.
2. The applicant – wife is seeking transfer of HMP No.1244 of 2022 pending in the court of 12Jt. CJSD, Pune, filed by respondent – husband for getting divorce, to the Family Court, Dhule.
3. According to the applicant-wife, she is not having any independent source of income and residing at Dhule, which is 370 kms away from Pune. She is also having two years old daughter out of this wedlock. Moreover, she has also filed proceedings under the provisions of Protection of Women from Domestic Violence Act, 2005 against the respondent – husband, who has appeared therein. Further, respondent – husband has also filed proceeding for restitution of conjugal rights at Dhule Family Court itself. As such, it appears that respondent – husband is already attending dates at Dhule. Therefore, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP No.1244 of 2022 pending in the Court of 12th Jt. CJSD, Pune is transferred to the Family Court, Dhule for disposal according to law.
- (iii) The respondent is directed to appear before Family Court, Dhule on 15/04/2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)