

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

66 MISC.CIVIL APPLICATION NO.266 OF 2023

**PRANITA JITANDRA BHADANE
VERSUS
JITENDRA BHALCHANDRA BHADANE**

Mr.T.M. Venjane, Advocate for the applicant.

**CORAM : KISHORE C. SANT, J.
DATED : 19.10.2023**

PC :-

01. Heard learned Advocate for the applicant. In spite of service none appears for the respondent.

02. This application is filed seeking transfer of proceeding bearing Petition A No. 149 of 2023 filed by the respondent-husband under section 13(1) of the Hindu Marriage Act in the Family Court at Dhule to the Court of learned Civil Judge, Senior Division, Aurangabad. It is case of the applicant-wife that she has already filed two proceedings which are pending in the Court of Sillod bearing Misc. Criminal Application No. 52 of 2019 filed for maintenance under section 125 of the Criminal Procedure Code and Misc. Criminal Application No.54 of 2019 claiming maintenance under the Domestic Violence Act. Both the proceedings are pending before the Court at Sillod. Now the husband has filed proceeding for divorce after more than four years of filing of proceedings for maintenance only to harass the wife. There is daughter from the marriage aged 5 years, who resides with the applicant. It is

further case of the applicant that there is no one in the family to accompany to go to Dhule and therefore it is difficult for her to travel alone.

03. Considering above facts, this Court finds that the proceedings needs to be transferred to the Court at Aurangabad. Hence, following order :-

ORDER

- (i) The Misc. Civil Application is allowed.
- (ii) The proceedings bearing Petition A No. 149 of 2023 stands transferred from Family Court, Dhule to the Court of Civil Judge, Senior Division, Aurangabad.

[KISHORE C. SANT, J.]