

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

**993 MISC.CIVIL APPLICATION NO.33 OF 2022**

**SUKESHINI BABU WAGHMARE  
VERSUS  
BABU NIVRUTTI WAGHMARE**

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Advocate for Applicant : Mr. A. D. Khot h/f.  
Mr. Karkare S.D.

...

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 06.01.2023**

**PER COURT :**

Leave to correct prayer clause 'B' by the words Family Court Nanded instead of Civil Judge, Senior Division, Nanded.

2. Heard learned counsel for the applicant, the respondent despite service of final disposal notice remained absent. It appears that the applicant is seeking transfer of HMP No.24/2021 filed by respondent -husband for getting divorce from the Court of Civil Judge, Senior Division, Biloli to the Family Court, Nanded.

3. According to the applicant, she is not having any source of income. Moreover, she is maintaining twins begotten out of this wedlock without any financial aid from respondent. Moreover, applicant had also filed The Protection of Women from Domestic

Violence Act case against the respondent wherein he appeared. Now, the execution proceeding in respect of the aforesaid case is going on at Nanded. There are number of judgments wherein it is observed that in transfer cases convenience of the wife is to be seen first. In view of the same, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP No. 24/2021 is hereby transferred from the Court of Civil Judge, Senior Division, Biloli, Dist.Nanded to the Family Court, Nanded for disposal according to law.
- (iii) The respondent is directed to appear before the Court of Family Court, Nanded on or before 01.02.2023.
- (iv) Application is disposed of accordingly.

(SANDIPKUMAR C. MORE)  
JUDGE

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shp/-