

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

965 MISCELLANEOUS CIVIL APPLICATION NO. 312 OF 2022

Meena Vithal Suryawanshi,
Age : 33 years, Occ. : Household,
R/o. : Yogeshwar Nagar, Kinwat,
Tq. Kinwat, Dist. Nanded ... **APPLICANT**

VERSUS

Vithal Janardhan Suryawanshi,
Age : 34 years, Occ. : Pvt. Service,
R/o. : Mahadev Nagar, in front of house of Giri,
Garud Chowk, Tq. & Dist. Latur ... **RESPONDENT**

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Mr.V.R. Kalyankar h/f. Mr.V.B. Anjanwatikar – Advocate for
Applicant

Mr. H.V. Patil – Advocate for Respondent

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 30th June, 2023

PER COURT :

1. Heard rival submissions.
2. The applicant – wife is seeking transfer of Marriage
Petition No. A – 170 of 2022 pending in Family Court, Latur
filed by respondent – husband for getting divorce to the Court
of C.J.S.D., Bhokar, Dist. Nanded.

3. According to the applicant – wife, she is not having independent source of income and she is also maintaining seven years son without any financial support from respondent – husband. The distance between Kinwat and Latur is near about 300 Kilometers. As such, it seems difficult for her to attend the dates at Latur. Moreover, she has also filed proceeding under P.W.D.V. Act against the respondent – husband at Kinwat wherein he has also appeared. Besides one criminal prosecution under Section 498 – A of I.P.C. is also going on against him at Kinwat.

4. The learned Counsel for the respondent – husband on the basis of reply filed by the respondent strongly opposed the application on the ground that, the respondent has lost his job at Hyderabad due to pandemic situation of Covid – 19 and now residing at Latur only. In the alternative, he made submission that the respondent is ready to arrange for conveyance charges of applicant in case she attend the dates at Latur. However, the respondent – husband is already attending the dates at Kinwat in the proceedings filed by the applicant – wife. As such, considering the convenience of

applicant – wife, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) Marriage Petition No. A – 170 of 2022 pending in the Family Court, Latur is transferred to the Court of Civil Judge Senior Division, Bhokar, Dist. Nanded for disposal according to law.
- (iii) The respondent is directed to appear before the Court of Civil Judge Senior Division, Bhokar, Dist. Nanded on or before 15th July, 2023. He will be at liberty to seek convenient dates from the concerned Courts' wherein the proceedings between himself and applicant are going on.
- (iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE