

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

992 MISC.CIVIL APPLICATION NO.261 OF 2019

MAHESHWARI AMOL RUPTAKKE
VERSUS
AMOL LAXMANRAO RUPATAKKE

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Mr. Sameer Patel, Advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. Heard learned Counsel for the applicant. The respondent husband, despite service remained absent.

2. The applicant is seeking transfer of Marriage Petition No.1312/2019 filed by the respondent - husband for getting divorce, from the Court of 15th Civil Judge (Senior Division), Pune to the Family Court, Aurangabad. It appears that the applicant is not having any source of income. Further, the distance between Aurangabad and Pune is 250 kms. and it would be highly difficult for the applicant to attend the dates at Pune without any financial support. Further, it appears that the applicant has also filed PWDVA Case No.474/2017 against the respondent in J.M.F.C. Court at Aurangabad. Besides, she has also filed RCC No. 938/2018 against the respondent and others under Section 498-A and

323 of I.P.C. The respondent has already appeared in these proceedings. As such, he will have to come to Aurangabad frequently for attending the further dates and therefore, his petition filed at Pune can be conveniently transferred to Aurangabad Family Court. Hence, the following order is passed.

ORDER

- (i) The application is allowed.
- (ii) Marriage Petition No. 1312/2019 is hereby transferred to the Family Court, Aurangabad from the Court of learned 15th Civil Judge (Senior Division), Pune for its disposal according to law.
- (iii) The respondent is directed to appear before the learned Family Court, Aurangabad on or before 15th February 2023.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)