



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

946 MISC.CIVIL APPLICATION NO.120 OF 2021

**ANITA @ ANURADHA AMBADAS @ AMOL
WAGHMARE**

VERSUS

AMBADAS @ AMOL LAXMAN WAGHMARE

...

Advocate for the applicant : Adv.Sayali Tekale h/f.

Adv.N.S.Tekale

Advocate for Respondent : Adv.N.P.Badale h/f.

Adv.S.G.Kawade

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 12.01.2024

P.C. :

1] The present Application is filed by the applicant – wife seeking transfer of the Hindu Marriage Petition No. 44 of 2018 from Civil Judge Senior Division, Ambajogai, District Beed to the Civil Judge Senior Division, Bhoom, District Osmanabad.

2] The learned counsel for the applicant submits that the marriage between the applicant and the respondent was solemnized in the year 2015. Due to certain disputes, the parties were legally separated within six months. The

domestic violence proceedings are initiated by the applicant – wife against the respondent – husband at Bhoom and the respondent - husband is attending the said proceedings every date in Bhoom. The learned counsel for the applicant further submits that the applicant has no source of income. Considering the said facts, the present application may be allowed.

3] *Per contra*, the learned counsel for the respondent - husband submits that the distance between Bhoom to Ambejogai is 90 kilo meters. The applicant is educated lady and she is conversant with the traveling. The learned counsel for the respondent submits that the responding is working as a Labourer at Mumbai.

4] Taking into consideration totality of the circumstances and the submissions made by the learned counsel for the applicant, that both proceedings i.e. Hindu Marriage Petition No.44 of 2018 and the Domestic Violence proceedings can be heard on the same dates and that the respondent husband is already attending the D.V.

proceedings at Bhoom, it would be more appropriate that the Hindu Marriage Petition No. 44 of 2018 be transferred to Bhoom and both the proceedings i.e. D.V. proceedings and Hindu Marriage Petition be taken for hearing as far as possible on the same dates so as to enable the respondent – husband to appear in both the aforesaid proceedings.

5] In view of the above, the present Misc. Civil Application is allowed in terms of prayer clause-B, which reads as under :

B) By way of appropriate order or directions in the like nature, the Hon'ble Court may be pleased to transfer the proceeding bearing Hindu Marriage Petition No. 44/2018 pending before Ld. Civil Judge Senior Division, Ambajogai, Dist. Beed to the Ld. Civil Judge Senior Division, Bhoom, Dist. Osmanabad.

6] The Misc. Civil Application is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE