



**(This order is corrected in view of the order dated 11/10/2024,
passed on a motion for speaking to the minutes of the order)**

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

926 MISC.CIVIL APPLICATION NO. 120 of 2020

Anuja Vivek Erande

....Applicant

VERSUS

Vivek Vithalrao Erande

.....Respondent

.....

Mr. D. B. Thoke, Advocate for Applicant

CORAM : R. M. JOSHI, J.

DATE :26th JULY, 2024.

PER COURT :

1. This is an Application for transfer of Hindu Marriage Petition No. A-223/2018 pending before Family Court, Nanded to Civil Judge Senior Division, Chalisgaon.

2. The reason for transfer is that the Applicant has changed her residence from Nanded to Chalisgaon. Her parents who are residing at Nanded are retired with no pensionary benefits and hence she has no option but to shift at Chalisgaon to stay along with her aunt. It is also submitted that admission of her child is also taken in the school at Chalisgaon.

3. None appears for Respondent inspite of service of notice. This indicates that Respondent is not inclined to oppose the Application.

4. Learned counsel for Applicant, on instructions, makes a statement that the present Application is restricted to transfer to Hindu Marriage Petition No. A-223/2018 from Nanded to Chalisgaon. Appropriate application shall be filed for transfer of proceeding bearing PWDVA No. 30/2018.

5. He further states that no prejudice will cause to the Respondent/husband as he was required to travel about 500 kms from Pune to Nanded and now the said travel time is reduced to a distance of about 350 kms. He further makes a statement on instructions that henceforth no request will be made by the Applicant for transfer of this proceedings. This statement is accepted as undertaking.

6. Considering the aforestated facts no prejudice will cause to the Respondent/husband if the proceeding is transferred from

Nanded to Chalisgaon. Hence, Application stands allowed with liberty to the Applicant to file appropriate proceeding for transfer of under Protection of Women from Domestic Violence act. Since this order is passed in the absence of Respondent, learned Civil Judge Senior Division, Chalisgaon to issue fresh notice to the Respondent herein.

(R. M. JOSHI)
Judge

sjk