IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 MISC.CIVIL APPLICATION NO. 110 OF 2024

Aayesha Jabin W/o Shahrukh Shaikh ....Applicant

VERSUS

Sharukh Babar Shaikh .....Respondent

Mr. S. M. Kamble, Advocate for the Applicant.

CORAM : R. M. JOSHI, J.
DATE :1st AUGUST, 2024.

PER COURT :

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

2. This application is filed by wife seeking transfer of RCS No. 210/2023 pending before Civil Judge Senior Division, Pimpri Pune to Civil Judge Senior Division, Ambajogai, Dist. Beed. It is the contention of applicant that she has no source of income and has responsibility of minor child. It is also claimed that it would not be convenient for her to travel 300 kms from Ambajogai to Pune.

3. Learned counsel for the Applicant submits that owing to the responsibility of the Applicant and she having no source of income, prejudice will cause to her right to defence if she is called upon to attend the proceeding filed by the husband at Pune.

4. It is settled position of law that convenience of wife needs to be taken into consideration for the purpose of deciding application for transfer of proceeding. Contention of the Applicant that she is unemployed and without any source of income and having responsibility of a minor child is not contradicted by Respondent. His absence before this Court indicates that he is not inclined to oppose the application.

5. In view of the above, application is allowed in terms of prayer clause 'B'. Civil Judge Senior Division, Ambajogai to issue notice to the Respondent.

(R. M. JOSHI)
Judge

dyb