



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

68 MISC.CIVIL APPLICATION NO. 183 OF 2024

Sau. Shivani Jayram TuwarApplicant

VERSUS

Jayram Pundllik TuwarRespondent

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Mr. Mohammad Waseemullah, Advocate for Applicant.

CORAM : R. M. JOSHI, J.

DATE : 11th NOVEMBER, 2024.

PER COURT :

1. None for Respondent though served. This indicates that Respondent is not interested in opposing the application.

2. Applicant is wife seeking transfer of Marriage Petition No. 154/2023 pending before the Civil Judge Senior Division, Newasa to Family Court, Pune. It is the case of the Applicant that she has responsibility of a minor daughter and owing to the same, it is difficult for her to travel from Newasa to Pune. She further claims that PWDVA No. 99/2024 filed by her against Respondent is pending before Judicial Magistrate First Class, Pune and, in any case, Respondent is required to attend the said proceeding at Pune.

3. Learned counsel for the Applicant submits that no prejudice much less irreparable loss will cause to the Respondent if the proceeding is transferred from Newasa to Pune as in any event Respondent is required to attend the proceeding filed by the Applicant.

4. For the reasons mentioned in the application as well as in view of the conduct of Respondent of not opposing the application, this Court has no reason not to accept the contention of Applicant. Prejudice will cause to the Applicant if she is called upon to attend the proceeding at Newasa owing to the responsibility of a minor daughter. In view of the above, application is allowed in terms of prayer clause 'B'.

5. In order to ensure that Respondent/husband is not harassed, the proceeding of Marriage Petition No. 154/2023 shall be heard on the same day on which hearing of PWDVA No. 99/2024 is fixed. It shall be the responsibility of Applicant/wife to ensure the same.

(R. M. JOSHI)
Judge