



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

63 MISC. CIVIL APPLICATION NO. 216 OF 2023

**MADHURI W/O PANKAJ MODI
@ MADHURI FAKIRCHAND PAWAR**

VERSUS

PANKAJ S/O ANIL MODI

...

Advocate for Applicant : Mr.D.R.Adhav

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12.02.2024

P.C. :

1] The present application is filed to transfer Petition No.A-541 of 2022 filed by the respondent-husband against the applicant-wife under Section 13 (i)(a) of the Hindu Marriage Act, 1955 from Family Court at Aurangabad to the Civil Judge Senior Division, Shrirampur, District Aurangabad.

2] It is the case of the applicant that the marriage between the applicant and respondent was solemnized on 29th December, 2018. Out of the said wedlock, the applicant has two years child. It is further the case of the applicant that the applicant is unemployed lady and the applicant has custody of the child. The applicant is staying with her parents. The distance between Aurangabad to Shrirampur is about 105 KMs. The applicant submits that it is

inconvenient for the applicant to travel to Aurangabad along with child. The applicant further submits that two proceedings under the provisions of Domestic Violence Act and for maintenance are pending before the Shrirampur Court, therefore, it is more convenient for the respondent husband to attend proceedings at Shrirampur. Considering the said fact, the present application may be allowed.

3] Though the respondent is served, none has entered appearance on behalf of the respondent.

4] Considering the fact situation that two proceedings are pending at Shrirampur and the applicant has the custody of a two year child, it would be more appropriate to transfer the Petition No.A-541 of 2022 filed by respondent from Family Court at Aurangabad to the Civil Judge Senior Division, Shrirampur, District Aurangabad. In view of the same, the present application is allowed. Petition No. A-541 of 2022 filed by respondent from Family Court at Aurangabad is transferred to the Civil Judge Senior Division, Shrirampur, District Aurangabad.

[ARUN R. PEDNEKER]
JUDGE

DDC