



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

920 MISC.CIVIL APPLICATION NO. 240 OF 2023

Varsha Rahul Walvante

....Applicant

VERSUS

Rahul Sahebrao Walvante

.....Respondent

.....

Advocate for Applicant : Mr. R.M. Gaikwad

.....

CORAM : ARUN R. PEDNEKER, J.

Dated : January 05, 2024

PER COURT :-

1. Heard the learned counsel for the applicant/wife.
2. As per the bailiff report, notice of this matter was served on the respondent/husband by pasting the same on the doors of the respondent/husband. Today, when the matter is called out none appeared for the respondent. The notice is pasted on the address given by the respondent in the proceedings initiated by him at Nasik.
3. By way of present application, the applicant is seeking transfer of proceeding in Petition A-271/2023 for divorce pending before the Family Court, Nashik to Family Court, Parbhani.
4. The learned counsel for the applicant submits that on 25.5.2022 the applicant got married with respondent. At present, on account of her illtreatment, applicant is residing with her parents at Parbhani. The learned counsel submits that wife has no source of independent income and wife has filed maintenance proceedings at Parbhani. The learned counsel submits that respondent is a taxi driver and is earning sufficient income and no hardship would be caused to the respondent, if the proceedings filed by husband would be transferred at Family Court at Parbhani.

5. Taking into consideration the totality of the facts and circumstances of the case, I hold that it is inconvenient for the applicant/wife to travel and attend the proceedings filed by the husband at Nashik as she has no source of income and she is staying with her parents and hardship will be caused to the wife. There is nothing on the record to show that the respondent is unable to attend the proceedings by travelling from Nashik to Parbhani. In view of the above, I deem it appropriate to transfer the proceedings filed by husband at Nashik to Parbhani. Hence, Petition A-271/2023 pending before the Family Court, Nashik is transferred to the Family Court, Parbhani. The Misc. Civil Application is allowed in terms of prayer clause 'B' and disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/