



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

927 MISC.CIVIL APPLICATION NO. 352 OF 2023

Sau. Sonam W/o Tushar Jaiswal

....Applicant

VERSUS

Tushar S/o Bhattulal Jaiswal

.....Respondent

.....

Advocate for Applicant : Mr. Anil H. Kasliwal

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 05, 2024

PER COURT :-

1. Heard the learned counsel for the applicant/wife.
2. Notice of this matter was served on the respondent/husband. Today, when the matter is called out none appeared for the respondent.
3. By way of present application, the applicant is seeking transfer of proceeding bearing Petition 195/2023 for divorce pending before the Family Court, Dhule to Family Court, Aurangabad.
4. The learned counsel for the applicant submits that on 20.4.2008 applicant got married with respondent and she has two children from the husband/respondent and the children are in the custody of the applicant. The learned counsel submits that due to some dispute between husband and wife, the respondent/husband had driven out of the house to the applicant and now she is residing at Aurangabad along with her children. The learned counsel submits that she has no source of income and she is surviving on the support of her brother and other family members. The learned counsel submits that respondent/husband has filed above proceedings at Dhule for divorce and when applicant went to attend the proceeding at Dhule, she was threatened and abused in filthy language.

The learned counsel submits that the applicant has no source of income whereas the respondent has a business and is earning well and no hardship would be caused to the respondent, if the proceedings filed by him would be transferred at Family Court at Aurangabad.

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 Dhule as she has no source of income at present 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 Dhule to Aurangabad. In view of the above, I deem it appropriate to transfer the proceedings filed by husband at Dhule to Aurangabad. Hence, proceeding bearing Petition 195/2023 pending before the Family Court, Dhule is transferred to Family Court, Aurangabad. The Misc. Civil Application is allowed in terms of prayer clause 'B' and disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/