



(1)

958 MCA-252-2019

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

958 MISC.CIVIL APPLICATION NO. 252 OF 2019

Anita Ravikant Shinde

VERSUS

Ravikant Maruti Shinde

WITH

CIVIL APPLICATION NO. 7525 OF 2024
IN MCA/252/2019

...

Mr. Gaurav L. Deshpande, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 9th JANUARY 2025

PC :-

1. None for respondent.
2. This application is for transfer of the proceedings from the Court of learned Civil Judge Senior Division, Ambajogai to Family Court at Nanded. The petitioner is a wife. The respondent has filed Hindu Marriage Petition No.146 of 2019 seeking decree of dissolution of marriage in the Court at Ambajogai.
3. It is stated in the application that even the wife has instituted proceeding for maintenance bearing Petition No.28 of 2020 in the

Family Court at Nanded. The respondent has already appeared in the proceeding at Nanded. The distance between Ambajogai to Nanded is more than 130 k.m. There is no one in the family to accompany the applicant to attend the Court at Ambajogai. Presently, she is residing with the parents that the father is more than 70 years of age. Younger son who is stayed with her is still minor. It is thus prayed that the proceedings be transferred.

4. The respondent has filed affidavit-in-reply. The only case of the respondent is that the distance is not much. It is the wife who behaved in cruel manner with the respondent. The prayer is therefore opposed.

5. This Court has heard the learned Advocate for the applicant. It is seen from the record that the wife has also filed a petition in the Family Court at Nanded alongwith her two sons for maintenance. Both the children are with applicant, one is still minor. The husband has already appeared in the proceeding at Nanded and thus he is required to travel to Nanded.

6. Considering all these factors, this court is inclined to allow the application. Application is therefore allowed in terms of prayer clause

(B) which reads as under:-

“B). Hindu Marriage Petition No.146 of 2019 pending before Civil Judge, Senior Division, Ambajogai be transferred to family Court, Nanded.”

7. Misc. Civil Application stands disposed off.
8. In view of disposal of Misc. Application, Civil Application does not survive and is also disposed off accordingly.

[KISHORE C. SANT, J.]