



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 MISCELLANEOUS CIVIL APPLICATION NO. 190 OF 2026

NIKITA KIRAN LAKARE

VERSUS

KIRAN RAMDAS LAKARE

...

Ms. Pooja H. Tayde, Advocate for applicant

Mr. A.A. Pawar, Advocate for sole respondent

...

CORAM : ROHIT W. JOSHI, J.

DATE : 28th AUGUST, 2026

ORDER :

. Present application is filed under Section 24 of the Code of Civil Procedure, 1908 seeking transfer of Hindu Marriage Petition No.174/2025 from the Court of learned Civil Judge Senior Division, Kopargaon, Dist. Ahilyanagar to Court of learned Civil Judge Senior Division, Paithan, Dist. Chhatrapati Sambhajanagar. The applicant wife has contended in the application that distance between two places is around 150 k.ms. and that there is nobody to accompany her for travel from Paithan to Kopargaon and also for want of adequate funds it will be difficult for her to attend the Court case filed at Kopargaon. It is also stated that after filing of said petition the

applicant wife has filed a proceedings under the Protection of Women from Domestic Violence Act i.e. PWDVA No.17/2026 before the Court of learned Judicial Magistrate First Class at Paithan.

2 Kopargaon and Paithan are reasonably big towns. Road connectivity between two towns is reasonably good. The respondent husband, as per the claim of applicant wife, is working as Driver. According to applicant wife, she is unemployed. In the event the transfer application is allowed, the husband will have to attend the Court case at Paithan, which will result in loss of wages for that particular date. As against this, the wife will not suffer any monetary loss if she has to attend the Court case at Kopargaon. As regards the financial hardship the same can be adjusted by directing the husband to pay appropriate amount to applicant wife for travelling and other expenses. The proceedings under PWDV Act is filed shortly after filing the divorce petition by the husband. Filing of domestic violence proceedings by the wife therefore cannot be relevant circumstance for ordering the transfer of the divorce petition filed by the husband. In view of the reasons recorded above, this Court sees no reason to order transfer of Hindu Marriage Petition No.174/2025 from Kopargaon to Paithan as prayed. Application is therefore, rejected.

3 It is, however, directed that on such dates when the applicant

wife attend the proceedings in Hindu Marriage Petition No.174/2025 before learned Civil Judge Senior Division, Kopargaon, the non applicant husband will pay an amount of Rs.1,000/- (Rupees One Thousand only) to her towards travelling and other expenses.

4 Learned Civil Judge Senior Division, Kopargaon is also requested to permit the wife to appear through Video Conferencing on such dates and at such stages as may be deemed proper.

(ROHIT W. JOSHI, J.)

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