

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

MISC.CIVIL APPLICATION NO.178 OF 2018

**VIDYA SHAMKANT SONAWANE
VERSUS
SHAMKANT BHAGWAN SONAWANE**

...
Advocate for the Applicant : Shri S. S. Phatale
Advocate for the Respondent : Shri M. G. Patil
...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 12th DECEMBER, 2018.

...

PER COURT :

1. On 29/09/2018, the following order was passed :

"1. The applicant wife prays for transferring Petition No. A- 476/2017 from the Family Court at Nashik road to the Court of Chief Judicial Magistrate, at Jalgaon.

2. It is submitted that after the marriage was solemnized on 15/02/2013, the respondent and his family started ill-treating the applicant on various counts. After the birth of a daughter, the respondent and his mother started torturing and consequentially she was driven out of her marital home. She has started residing with her mother alongwith her 2 ½ years child at Jalgaon. The distance between Jalgaon

and Nashik is more than 250 kms. and she has to undertake two nights' journey and has to be accompanied by an adult member for attending the Court proceedings at Nashik.

3. *Reliance is placed upon the following judgments:-*

(i) Vennangot Anuradha Samir Vs. Vennangot Mohandas Samir- 2016 (1) Bom.C.R.250,

(ii) Soma Choudhuri Vs. Gourab Choudhuri (2004) 13 SCC 462,

(iii) Anjali Ashok Sadhwani Vs. Ashok Kishinchand Sadhwani, AIR 2009 SC 1374

(iv) Vaishali Shridhar Jagtap vs. Shridhar Vishwanath Jagtap - 2016 AIR (SC) 3584

(v) Sayali Swapnil Kuber Vs. Swapnil Harischandra Kuber- [2014(1) Mh.L.J. 584],

(vi) Nilima Vs. Pavansingh - LEX (BOM)2011 9 193 and

(vii) Shila Nitin Rajure Vs. Nitin Marotiappa Rajure - MCA No.184 of 2017 (Aurangabad Bench), dated 9.1.2018.

4. *Issue notice to the respondents, returnable on 21.11.2018. Until then, the Family Court, Nashik, would adjourn Petition No.A-476/2017.*

5. *Copy of the paper book for issuance of notice shall be supplied on or before 11.10.2018, failing*

which, this application shall stand rejected without reference to the Court on 12.10.2018."

2. The learned Advocate has appeared on behalf of the respondent husband and submits, on instructions, that this application can be allowed and the proceedings can be transferred.

3. In view of the above, this application is allowed. Petition No. A-476/2017 shall stand transferred to the Court of Family Court at Jalgaon.

4. Both the litigating sides would appear before the Court on 22/12/2018.

5. The respondent husband is at liberty to request the Court at Jalgaon where two other proceedings under Section 125 of the Cr.P.C. and Section 12 of the Protection of Women from Domestic Violence Act, 2005 are pending, to have these three matters posted on the same date so as to enable the husband to attend the proceedings at Jalgaon on common dates.

(RAVINDRA V. GHUGE, J.)

shp/-