

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

**MISC. CIVIL APPLICATION NO.62 OF 2019**

Suchita Sumit Khedekar

Applicant

versus

Sumit Ashok Khedekar

Respondent

Mr. Y.H. Jadhavar h/f Mr. Girish Nagori advocate for applicant

Mr. B.S. Dhawale advocate for respondent

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**CORAM: ROHIT BABAN DEO, J.**

Date: FEBRUARY 3RD, 2020

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**PER COURT :-**

1 The petitioner - wife is seeking transfer of HMP No.299/2018 instituted by the respondent - husband in the Court of Civil Judge, Senior Division, Buldhana to the Family Court at Jalgaon.

2 The averments made in the application have gone unchallenged in the absence of an affidavit in response.

3 However, the learned counsel for the non-applicant has seriously objected to the transfer of the proceedings. The learned counsel for the non-applicant would submit that inconvenience of the wife cannot be the sole consideration. It is further submitted that the non-applicant husband is ready to

pay to and fro travel charges to the applicant and her companion.

4 The applicant-wife has initiated proceedings under section 125 Cr.P.C., another proceeding under the provisions of the Protection of Women from Domestic Violence Act, 2005 and also lodged a first information report in relation to alleged offences under section 498-A of IPC at Jalgaon in which the non-applicant husband and his relatives are arrayed as accused.

5 The applicant contends that it would be extremely inconvenient for her to attend the proceedings at Buldhana and that in any event the non-applicant husband shall have to attend the three proceedings pending at Jalgaon. She further contends that she is residing at her parental house in Jalgaon at the mercy of her aged father.

6 Considering the averments made in the application, I am satisfied that a case is made out to allow the application in terms of prayer clause 'B' which reads thus:-

"B. The proceeding bearing Hindu Marriage Petition No.299/2018 filed by the respondent-Husband before the Learned Civil Judge Senior Division at Buldhana may kindly be transferred to the Family Court at Jalgaon, District Jalgaon having jurisdiction in the interest of justice."

7 It would be appropriate if the parties ensure that as far as

possible all the proceedings are listed on the same day.

8 The transferee Court is requested to expedite the disposal of HMP No.299/2018.

**(ROHIT BABAN DEO, J)**

vbd