

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO.122 OF 2021

PRAMILA ALIAS PUJA VIKAS BANKAR

VERSUS

VIKAS LAXMAN BANKAR

...

Advocate for Applicant : Mr. Anthony Menezes Joslyn

Advocate for Respondent-sole : Mr. Vishnu Yadavrao Patil

...

CORAM : AVINASH G. GHAROTE, J.

DATE : 23rd JULY, 2021

PER COURT :-

Heard Mr. Menezes, learned counsel for the applicant and Mr. Patil, learned counsel for the respondent. Miscellaneous Civil Application No. 122 of 2021, is filed by the wife for transfer of Hindu Marriage Petition No. A-29 of 2021, from the Family Court, Jalna to the Family Court, Aurangabad.

2. Mr. Patil, learned counsel for the non-applicant husband submits that he is a Primary Teacher serving at Ghansawangi, Taluka Ambad, which is 60 Kms. away from Jalna and, therefore, if at all, he has to travel, he will require to do so for 120 Kms. The minor son is staying with him along with his mother aged 65 years. Already proceeding at Jalna, having attended by the wife and, therefore, it would be no impediment for her to continue to do so.

3. Mr. Menezes, learned counsel for the applicant, submits that already proceedings under Section 125 of the Code of Criminal Procedure, are pending in the Family Court, Aurangabad, and so also proceedings under Section 12 of the Domestic Violence Act are pending before the court of Judicial Magistrate, First Class, Aurangabad, and to attend court, as he is the husband, he has to travel to Aurangabad, and it would be better if the proceedings at Jalna are transferred to Aurangabad and all of them fixed on a single day, so that it would be convenient for the non-applicant husband.

4. It is not in dispute that the proceedings have now been initiated by the wife at the Family Court, Aurangabad and before the court of Judicial Magistrate, First Class, Aurnagabad, which the husband, would naturally be required to attend. It would, therefore, be in the fitness of things, that the proceedings at Family Court, Jalna be transferred to the Family Court, Aurangabad, so that all the proceedings, can be held on single day, and it would be convenient to the non-applicant husband.

5. In view of the same, the proceedings bearing Hindu Marriage Petition No. A-29 of 2021, pending before the Family Court, Jalna are hereby transferred to Family Court, Aurangabad. The parties undertake to appear before the Family Court, Aurangabad, on 9th August, 2021, prior to which, the Family Court, Jalna, is requested

to transmit the record to the Family Court, Aurangabad.

6. The Application is finally disposed of in above terms.

(AVINASH G. GHAROTE)
JUDGE

shp/-