

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

MISC.CIVIL APPLICATION NO.139 OF 2018

**ARCHANA VISHAL KAMBLE
VERSUS
VISHAL BALAJI KAMBLE**

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Advocate for Applicant : Mr. Govind G. Suryawanshi
Advocate for Respondent : Mr. B. T. Bodkhe h/f. Mr. S. B. Solanke

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CORAM : MANGESH S. PATIL, J.

DATED : 04 JULY 2022

PER COURT :

1. Heard learned advocates of both the sides.
2. This is an application under section 24 of the Code of Civil Procedure.
3. The applicant is the wife of respondent. The respondent has instituted a petition before the Family Court at Aurangabad seeking nullity of marriage. The applicant is a resident of Nanded and though belatedly she has filed a proceeding under section 12 of the Protection of Women From Domestice Violence Act, 2005 in the court at Nanded. She is also completing M.phil at Nanded.

4. Going by catena of the decisions by the Supreme Court, convenience of the wife is the paramount consideration in such matters. Certainly she would be put to inconvenience, if she is made to commute between Nanded and Aurangabad to defend the proceeding in Family Court at Aurangabad. Even otherwise, even if the request for transfer is not accepted, the respondent husband will have to defend the proceeding instituted by her at Nanded by going to Nanded.

5. The averments made in the application have not been controverted. Taking necessary precaution to avoid any possible hardship to the respondent, the application can be allowed.

6. The application is allowed.

7. The proceeding bearing Hindu Marriage Petition No.B-5 of 2018, pending in the Family Court at Aurangabad is transferred to the Family Court at Nanded.

8. All the courts taking up different matters between the parties at Nanded shall, as far as possible, list all the matters on the same date.

9. Parties shall appear before the Family Court at Nanded on 30.07.2022.

(MANGESH S. PATIL, J.)