

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

MISC.CIVIL APPLICATION NO.176 OF 2021

AMRUTA RAVI GAJDHANE
VERSUS
RAVI SUBHASH GAJDHANE

...

Advocate for the Applicant : Shri Ubale Mahesh B.

Advocate for the Respondent : Shri A.N. Sabnis

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CORAM: SMT. BHARATI H. DANGRE, J.

DATE :- 03rd January, 2022

Per Court:

1. By the present application, the applicant/ wife is seeking transfer of the proceedings filed by the respondent/ husband vide Petition No.A-96/2021 in the Family Court at Solapur to the Family Court at Aurangabad.

2. Transfer of the proceeding is sought on the ground that the distance between two stations being approximately 350 kilometers one way. The difficulty expressed by her is that her parents are old and there is nobody to look after them. Financial difficulty is also pressed into service in undertaking the journey, which may at times, requires the boarding and lodging.

3. Heard the learned advocates for the applicant and the

respondent and perused the application.

4. The marriage between the parties was solemnized in the year 2018 and since the relationship could not flourish further, on 01.03.2021, the respondent/ husband instituted the proceedings under the Hindu Marriage Act seeking divorce in the Family Court at Solapur.

5. Difficulty expressed by the applicant/wife is about the journey of 350 kilometers one way, being required to be undertaken for attending the proceedings. In fact, the distance between two stations is little less being 308 kilometers.

6. The contention of the learned counsel for the applicant/ wife that she is not in position to cope up with the financial burden, if she has to undertake the journey, is well appreciated. Upon such difficulty being expressed, the learned counsel for the respondent/ husband states that he will arrange for the actual expenses incurred by the wife, if she has to travel to attend the proceedings at Solapur.

7. Another solution which can be offered to minimize the inconvenience of the wife is that, except when the presence of the applicant/ wife is indispensable, the Judge, Family Court at Solapur is requested to proceed with the matter by adopting the available technology of video-conferencing since the facility is made available to all Family Courts. This would reduce the inconvenience to the wife and if at all, on account of exceptional circumstances, she is required to undertake the

journey, the respondent/ husband shall arrange for payment of such expenses on submissions of the actual bills of traveling, boarding, lodging, meals, etc.. If at all the applicant/ wife is required to undertake the journey in someone's company, the respondent/ husband shall arrange for payment of such expenses as well.

8. With the aforesaid observations, I see no difficulty for the Family Court at Solapur to proceed with the proceedings instituted by the respondent/ husband since the matter is covered by principle of *dominus litis* and it is for the party to institute the proceeding where he finds more convenient to do so.

9. For the aforesaid reasons, I am not inclined to grant this application. Subject to the aforesaid stipulations being acted upon by the respondent/ husband, this Application is disposed of.

kps

(SMT. BHARATI H. DANGRE, J.)