

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

MISC.CIVIL APPLICATION NO.217 OF 2021

PRIYA KETAN KSHIRSAGAR
VERSUS
KETAN KAILAS KHIRSAGAR

...
Advocate for Applicant : Mr. Prashant R. Nangare
...

CORAM : MANGESH S. PATIL, J.

DATE : 18.07.2022

PER COURT :

Heard the learned advocate for the applicant. This is the application under Section 24 of the Code of Civil Procedure whereby the wife is seeking transfer of a divorce proceeding filed by the respondent husband filed in the Family Court, Pune to the Family Court, Ahmednagar.

2. None is present for the respondent albeit, affidavit in reply has been filed by the respondent advocate. The relationship has not been disputed. It is also not disputed that the applicant has lodged a proceeding under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and proceeding under Section 125 of the Code of Criminal Procedure both of which are pending at Ahmednagar. It appears that even she has filed FIR and a crime has been registered for the offence under Section 498-A etc. of the Indian Penal Code in a Police Station at Ahmednagar.

3. There is also no denial about the fact that the respondent is an engineer employed in a public limited company.

4. It is trite that applicant being a woman, the Court needs to take a lenient view and her convenience is a paramount consideration. By taking necessary precaution to avoid any hardship to the respondent and looking to the convenience of the applicant, the application can be allowed.

5. The Application is allowed. The Petition-A No.543/2021 pending in the Family Court, Pune is transferred to the Family Court, Ahmednagar for decision in accordance with law.

6. All the courts taking up different matters between the parties at Ahmednagar shall, as far as possible, take up all the matters on the same day. Parties to appear before the Family Court, Ahmednagar on 30.07.2022 and there shall be no need to issue notice to them.

(MANGESH S. PATIL, J.)

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