



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

54 MISC.CIVIL APPLICATION NO. 131 OF 2023

RAKSHANDA NITESH PARDESHI ALIAS RAKSHANDA ANIL BUNDELE
VERSUS
NITESH SANJAY PARDESHI

...
Advocate for Applicant : Mr. K. G. Kabra h/f Mr. B. S Choure
...

CORAM : ARUN R. PEDNEKER, J.

Dated : February 26, 2024

PER COURT :-

1. By the present application, the applicant prays for transfer of H.M.P.No.1867/2022 from Family Court, Pune to Family Court, Aurangabad. The respondent though served, has not entered into appearance.
2. Heard the learned Advocate for the applicant. He submits that the marriage between applicant and the respondent took place on 22/04/2021 and on account of certain dispute, the respondent husband filed H.M.P.No.A/1867/2022 for divorce before the Principal Judge, Family Court-1, Pune. The applicant is residing alone at Aurangabad in rented premises and taking education. Distance between Aurangabad to Pune is more than 250 kilometers and it is difficult to the applicant to attend the divorce proceedings. The parents of applicant are residing at Aurangabad.
3. The learned Advocate for the applicant submits that the

applicant has filed application under Section 125 of Code of Criminal Procedure for maintenance against the respondent at Aurangabad, which is defended by the husband in Aurangabad.

4. The divorce proceeding is initiated at Family Court Pune and it is inconvenient for the wife to defend the same at Pune. Prayer Clause 'B' of the application reads as under : -

"B) Misc. Civil Application may kindly be allowed and to transfer the H.M.P.No.A/1867/2022 pending on the file of Ld. Family Court, Pune to Ld. Family Court, Aurangabad and for that purpose issue necessary orders."

5. In view of the above and for the reasons stated in the application, the application is allowed in terms of prayer Clause 'B' as above.

6. However, it is directed that on the transfer of the petition, the applicant wife shall not seek any adjournments in the matter unnecessarily. In the event, she seeks adjournment, she would inform the Advocate for the husband in advance so as to avoid

inconvenience to the husband.

7. The parties to take common dates as far as possible in all matters pending at Aurangabad. In view of the above, the application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.