



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

1009 CRIMINAL APPLICATION NO. 412 OF 2024

RAJUDAS FAKIRA RATHOD

VERSUS

VIJAYSHRI RAJUDAS RATHOD @ PANDITSANKAR PAWAR

...

Advocate for Applicant : Mr. P S Dikle

Advocate for Respondent : Mr. Patil Nileshsingh J.

...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 8th August, 2024.

P.C.:

1. By this application, the applicant is praying for transfer of Domestic Violence Misc. Case No.7 of 2022 pending before the Judicial Magistrate, First Class, Omerga to Family Court at Bandra, Mumbai and DV Appeal no.4 of 2023 pending before the District Court at Omerga to City Civil Court and Sessions Court, Dindoshi.

2. It is contention of the learned counsel for the applicant that the applicant is staying at Mumbai and the respondent recently shifted at Mumbai. Both are staying at Mumbai. The applicant is facing difficult to attend the Court dates at Omerga. It would be convenient for both the parties to attend the Court dates at Mumbai and requested to allow the application.

3. It is contention of the respondent that the appropriate order be passed.

4. I have heard both the learned counsel. The applicant and respondent both stay at Mumbai. It is settled principle of law that while

transferring the matters the convenience of the wife has to be considered. Considering these aspects, I pass the following order :-

ORDER

- (i) The Application is allowed.
- (ii) The proceeding in Domestic Violence Misc. Case No.7 of 2022 pending before the Judicial Magistrate, First Class, Omerga is transferred to Family Court at Bandra, Mumbai.
- (iii) The proceeding in DV Appeal no.4 of 2023 pending before the District Court at Omerga is transferred to City Civil Court and Sessions Court, Dindoshi.

[SHIVKUMAR DIGE, J.]

sga