



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

931 MISC.CIVIL APPLICATION NO. 115 OF 2024

Sau. Shital Sandip Pawar

VERSUS

Sandip Chaburao Pawar

...

Advocate for Applicant : Mr. Telgote Sudhir P.

Advocate for Respondent : Mr. N. N. Bhagwat

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CORAM : R. M. JOSHI, J.

Dated : July 05, 2024

PER COURT :-

1. By this application, applicant is seeking transfer of Hindu Marriage Petition No.36 of 2023, pending in the file of Civil Judge, Senior Division, Rahata, Dist. Ahmednagar, to Family Court, Chhatrapati Sambhaji Nagar. It is the contention of the applicant/ wife that distance between Rahata and Chhatrapati Sambhaji Nagar is about 150 kilometers. She claims that she is not employed and dependent on her mother. It is her submission that she won't be effectively defending the said proceedings, and hence, the same be transferred as prayed.

2. Learned Counsel for the respondent opposed the said contention by claiming that the proceedings from the jurisdiction of the proper Court cannot be transferred unless exceptional case is made out.

3. If there is no dispute about the fact that the proceedings filed by respondent/husband are on the file of the Court having jurisdiction to entertain the subject matter thereof. However, the contention of the

applicant shows that she won't be in a position to defend the said proceedings effectively owing to the reasons mentioned in the application. Considering these facts, the application is allowed in terms of prayer Clause 'B'.

4. Parties are directed to appear before the Family Court, Chhatrapati Sambhaji Nagar on 22/07/2024. No separate notice to be issued by the Family Court to the parties.

(R. M. JOSHI, J.)

vj gawade/-.