



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

953 MISC.CIVIL APPLICATION NO. 142 OF 2023

KAJAL CHANDRAKANT TAYADE

VERSUS

CHANDRAKANT ASHOK TAYADE

...
Advocate for Applicant : Mr. Harshal Prakash Randhir
Advocate for Respondent : Mr. Cheble Rahul Pandhari
...

CORAM : ARUN R. PEDNEKER, J.

Dated : April 02, 2024

PER COURT :-

1. By the present application, the applicant prays for transfer of Petition No.771/2022 from Family Court, Nasik Road, Nasik to Family Court, Jalgaon.
2. Heard the learned Advocate for the applicant. He submits that the respondent husband filed Petition No.771/2022 in the Family Court, Nasik Dist. Nasik for divorce under Section 13(1) (i-a) of the Hindu Marriage Act, 1955. The applicant married with respondent on 27/11/2020 at Nandra Budruk Tq. and Dist. Jalgaon. There is no issue out of marriage. The applicant is residing at her parents house at Jalgaon. Distance between Jalgaon to Nasik is 254 k.m. and it is difficult for applicant to attend the divorce proceeding at Nasik. Applicant has no independent source of income.
3. The learned Advocate for the applicant further submits that there is

Domestic Violence proceeding bearing PDVA No.297/2021 pending between the parties initiated at Jalgaon as well as Regular Criminal Case No.329/2022 is also pending before the Judicial magistrate First Class, Jalgaon and respondent husband is attending the same. He submits that the applicant wife is a house wife, dependent on her family members.

4. Per contra, the learned Advocate for respondent submits that the husband is doing day to day service and it would be difficult for him to conduct the proceeding at Jalgaon.

5. Having heard the learned Advocate appearing for the parties, I hold that it would be inconvenient for the applicant to attend the proceeding at Nasik as she has no independent source of income. So also the respondent husband is attending the proceedings filed by the applicant wife at Jalgaon, as such the transferred proceedings can also be conducted at Jalgaon. Prayer Clause 'B' of the application reads as under : -

'B) This Hon'ble Court by way of appropriate writ, order or directions in the like nature, be pleased to direct the learned Family court, Nasik Road, nasik to transfer the Petition No.771/2022 to Family Court, Jalgaon.'

6. In view of the above, the application is allowed in terms of prayer Clause 'B' as above.

7. However, it is directed that on the transfer of the petition, the

applicant wife shall not seek 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. The Courts at Jalgaon and Nasik to provide video conferencing facilities to the husband to conduct the proceedings from Nasik, if possible.

8. The parties to take common dates in all the matters pending in between them as far as possible. With above observation, the application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.