



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

1028 MISC.CIVIL APPLICATION NO. 123 OF 2024

Pooja Rohit Paltankar

VERSUS

Rohit Sudhakar Rao Paltankar

...
Advocate for Applicant : Ms. Karishma Sarin h/f Mr. Bora Satyajit S.

...

CORAM : ARUN R. PEDNEKER, J.

Dated : October 04, 2024.

PER COURT :-

1. By the present application, the applicant prays for transfer of Petition No A-149/2023 from Family Court, Yeotmal to Family Court, Nanded.
2. Respondent though served with notice, has not entered appearance.
3. Heard the learned Advocate for the applicant. He submits that the respondent husband filed Petition No.A-149/2023 in the Family Court, Yeotmal for divorce under Section 13(1) (i-a) of the Hindu Marriage Act, 1955. The applicant married with respondent on 30/12/2018 at Yeotmal. There is son out of marriage. The applicant is residing at her parents house at Nanded. Distance between Nanded to Yeotmal is 200 kms. and it is difficult for applicant to attend the divorce proceeding at Yeotmal. Applicant has no independent source of income.
4. The learned Advocate for the applicant further submits that there is

maintenance proceeding under Section 125, bearing Petition No.E-165/2023 pending between the parties initiated at Family Court, Nanded and respondent husband is attending the same. He submits that the applicant wife is a house wife, dependent on her family members.

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

'b) that by issuing writ order or direction under Article 227 of Constitution of India as well as u/sec.24 of Civil Procedure Code, Petition No.A-149/2023 (Rohit Paltankar Vs. Pooja Paltankar) pending before the Family Court, Yeotmal, may kindly be transferred to Family Court, Nanded.'

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 Yeotmal and Nanded 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/-.