



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 198 OF 2023

Rupali Sandip Borse

VERSUS

Sandip Nana Borse

...

Mr. M. R. Wagh, Advocate for Applicant

Mr. K. B. Borde, Advocate for Respondent

...

CORAM : R.M. JOSHI, J

DATE : JULY 11, 2024

PER COURT :

1. Applicant is wife. She claims to be unemployed with responsibility of two minor children. She further claims that two proceedings are pending before the Courts at Dhule being Marriage Petition No. F-51/2022 before Family Court and Criminal M.A. No. 446/2022 before Chief Judicial Magistrate. It is her contention that owing to the responsibility of children, it is not possible for her to travel from Dhule to Pune, which is at the distance about 300 kms.

2. Learned Counsel for the Applicant submits that in any case the Respondent/Husband is required to attend two proceedings filed against him which are pending at Dhule. He further submits that no

inconvenience will cause to him if C.M.A. No. 108/2023 pending at District Court, Pune is transferred to Dhule.

3. Learned Counsel for Respondent/Husband opposed the said submissions by contending that the proceedings C.M.A. No. 108/2023 are pending before the competent Court and hence, there is not need to transfer the same. He further states that if this Court is inclined to transfer the said proceeding, the Respondent/Husband be permitted to appear through video conferencing mode before the Court and all proceedings be kept on the same date of hearing.

4. This Court finds substance in the contention of learned Counsel for Applicant that owing to the responsibility of two children and being unemployed and dependency upon the parents, calling upon her to attend the proceedings filed by Husband will cause inconvenience and will affect her right to effectively defend too. As against this, Respondent/Husband is required to attend two proceeding filed by the Applicant/Wife at Dhule. In such circumstances, least

inconvenience will cause to Respondent/Husband as compared to the Applicant/Wife if proceedings is transferred from Pune to Dhule.

5. In view of above discussion, application is allowed in terms of prayer clause 'C'. It is further directed that all concerned Courts shall keep these matters for hearing on a single day. In no circumstance, different dates to be given in all these three cases. It would be the responsibility of the Counsel for the Applicant/Wife to inform this fact to the concerned Courts. As far as request of the appearance through video conference is concerned, the said request may be made to the concerned Courts for its decision as per law.

6. Application stands allowed in above terms.

(R. M. JOSHI, J.)

Malani