



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

59 MISC. CIVIL APPLICATION NO. 145 OF 2022

**ADITI RAHUL SOLUNKE
VERSUS
RAHUL ASHOK SOLUNKE**

...
Advocate for Applicant : Adv.Chaya E. Gaikwad
Advocate for Respondent : Adv.P.V.Langhe
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 12.02.2024

P.C. :

1] The present application is filed to transfer Hindu Marriage Petition No.52/2022 from Civil Judge Senior Division, Newasa, District Ahmednagar to Family Court at Aurangabad.

2] The learned counsel for the applicant submits that the applicant has filed proceedings under the provisions of Protection of Women from Domestic Violence Act, 2005, so also, the proceedings for maintenance under Section 125 of Criminal Procedure Code before the Aurangabad Court. The learned counsel for the applicant submits that the distance between Aurangabad to Newasa is 60 kilometers. The applicant is a lady and it is inconvenient for the applicant to travel from Aurangabad to Newasa whereas the respondent is a earning member, who can

travel to Aurangabad. Considering the said fact, the present application may be allowed.

3] *Per contra*, the learned counsel for the respondent submits that the respondent – husband has custody of 9 years old child and it would be inconvenient for the respondent along with child to travel from Newasa to Aurangabad.

4] Since two proceedings are pending before the Aurangabad Court and the present proceedings i.e. Hindu Marriage Petition No.52/2022 is filed at Newasa, it would more appropriate that, all three proceedings be conducted at the same place and as far as possible on the same day so as to avoid inconvenience for the respondent to travel on multiple occasion to Aurangabad. The applicant – wife submits that she would not seek adjournment in the matter. In the event, the applicant – wife seeks adjournment, she would inform in advance to the respondent – husband about the same.

5] In view of the above, the present application is allowed in terms of prayer clause-B.

[ARUN R. PEDNEKER]
JUDGE