



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

965 MISC. CIVIL APPLICATION NO. 182 OF 2024

Ambika W/o Maheshkumar HiwareApplicant

VERSUS

Maheshkumar Rajaram HiwareRespondent

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Ms. S. S. Tekale, Advocate for Applicant.

CORAM : R. M. JOSHI, J.
DATE : 29th NOVEMBER, 2024.

PER COURT :

1. None for Respondent though duly served. Absence of Respondent indicates that he has no inclination to oppose the application.

2. Applicant is wife. She is unemployed and has responsibility of a minor child. She, therefore, seeks transfer of the proceedings.

3. Learned counsel for the Applicant submits that calling upon the Applicant to appear before Family Court, Parbhani will cause serious prejudice to her defence. She further submits that

proceedings under the Protection of Women from Domestic Violence Act bearing Application No. 1/2024 filed by the Applicant is pending before the Chief Judicial Magistrate, Nanded. Thus, according to her, in any case, husband will have to attend said proceeding at Nanded.

3. This Court finds substance in the contention of learned counsel for the Applicant that prejudice may cause to the defence of the Applicant if she is called upon to appear before the Family Court at Parbhani. In any case, husband will have to appear before the Court at Nanded in the proceeding under Protection of Women from Domestic Violence Act. As such, no prejudice will cause to the husband if application is allowed. Hence, same stands allowed in terms of prayer clause 'A'.

4. In order to ensure that Respondent/husband is not harassed, both the proceedings are directed to be conducted on the same day. It shall be the responsibility of the Applicant to ensure the same.

(R. M. JOSHI)
Judge

dyb