



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

933 MISC.CIVIL APPLICATION NO. 188 OF 2023

Bharti W/o Nilesh Sonawane

....Applicant

VERSUS

Nilesh S/o Rajendra Sonawane

.....Respondent

.....
Advocate for Applicant : Mr. Shaikh Mohammad Naseer A.

Advocate for Respondent : Mr. S.S. Kulkarni

.....

CORAM : ARUN R. PEDNEKER, J.

Dated : January 23, 2024

PER COURT :-

1. Heard the learned counsel for the applicant.
2. The present application is filed by the wife, seeking transfer of the proceedings filed for dissolution of marriage bearing No. HMP No. A/55/2023 by the husband at Family Court Nashik to the Court of Civil Judge, Senior Division, Bhusawal. The learned counsel for the applicant submits that three proceedings are pending before the Court at Yawal i.e. matter under section 125 of Cr.P.C., matter under D.V. Act and the matter under section 498-A of the I.P.C. filed by the applicant/wife.
3. The applicant got married with the respondent on 30.1.2020. After few months of marriage due to some disputes, the above proceedings are initiated by the wife in the C.J.J.D., Court at Yawal. Thereafter, the husband has filed proceedings for divorce at Family Court at Nashik. Applicant is financially dependent on her parents and resides with them at Yawal whereas the respondent is a businessman. Applicant/wife has no independent source of income.
4. Considering the totality of the facts and circumstances of the case, I hold that if the matter at Family Court Nashik filed by the husband is not transferred at Court of Civil Judge, Senior Division, Bhusawal, the applicant/wife will suffer more hardship. In view of the above the

application is allowed in terms of prayer clause 'B' which is as under :-

"B) The HMP No. A/55/2023 section 13 (i)(a) of the Hindu Marriage Act for Dissolution of marriage pending before Family Court at Nashik may kindly be transferred to C.J.S.D. at Bhusawal."

5. On transfer, Bhusawal Court shall issue notice to the respondent, indicating the next date for remaining present before the Court.
6. It is further directed that the applicant be permitted to conduct the divorce proceeding transferred at the Court of C.J.S.D. Bhusawal through video conferencing from Nashik Court. Appropriate links be provided to the learned counsel appearing for both the parties and to the parties. Necessary compliance be made by the C.J.S.D., Bhusawal and C.J.J.D., Yawal. The parties are directed to provide their E-mail, mobile number to both the Courts for compliance.
7. Although I have passed the orders in this matter, I am not disposing of this matter and kept pending for next four weeks so as to ascertain the implementation of the process.
8. Liberty is given to the applicant/wife to mention the matter again if the applicant faces any difficulty.

(ARUN R. PEDNEKER, J.)

ssc/