



IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO. 175 OF 2024

Sau. Kranti w/o Swapnil Katkar .. Applicant

versus

Shri Swapnil s/o Siddartha Katkar .. Respondent

Mr. S. B. Yawalkar, Advocate for the Applicant.

Mr. R. m. Darunde, Advocate for the Respondent.

**CORAM : R. M. JOSHI, J.**

DATE : 14<sup>th</sup> NOVEMBER, 2024.

PER COURT :

1. This is an application for transfer of Petition No. A/1629/2023 pending before Family Court, Nagpur (Urban) to Family Court, Jalgaon.

2. Applicant is a wife and seeks transfer of the petition on the ground that it is inconvenient for her to travel distance of about 460 kms. from Jalgaon to Nagpur to attend the said proceeding.

3. Learned counsel for the applicant submits that the applicant is unemployed and has no source of income. It is also

submitted that prejudice and irreparable loss will be caused to her if she is compelled to attend the proceeding before Family Court, Nagpur. Learned counsel for the applicant further submits that no prejudice would be caused to the respondent as in any case he is required to attend the proceeding for restitution of conjugal rights so also criminal case filed by applicant under Section 498A of Indian Penal Code at Jalgaon.

4. Learned counsel for the respondent vehemently opposed the application by contending that except for the alleged distance between two places, there is no reason given for transfer of the said proceeding.

5. Applicant has made out a case that prejudice will cause to her if she is called upon to attend the said proceeding in the Court at Nagpur. There is every possibility of her being denied fair and reasonable opportunity on the count of the said inconvenience caused to her and hence application is allowed.

6. In order to ensure that respondent is not harassed, the proceedings filed by applicant at Jalgaon shall be heard on the same

day on which hearing of Petition No. A/1629/2023 is scheduled. It is the responsibility of the applicant/wife to ensure the same.

**( R. M. JOSHI )**  
**Judge**

dyb