



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

1044 MISC.CIVIL APPLICATION NO. 244 OF 2024

Rupali Sandip Borse
VERSUS
Sandip Nanasaheb Borse

...
Advocate for Applicant : Mr. Mali Amol Sudam
Advocate for Respondent : Mr. S. B. Kadu h/f Mr. Mahesh B. Karande
...

CORAM : ARUN R. PEDNEKER, J.

Dated : October 04, 2024.

PER COURT :-

1. By the present application, the applicant prays for transfer of H.M.P. No.428/2024 from Civil Court, Senior Divison, Pune to Civil Judge, Senior Division, Dhule.
2. Heard the learned Advocate for the applicant. He submits that the respondent husband filed H.M.P. No.428/2024 in the Civil Court, Senior Division, Pune for divorce under Section 13(1) (i-a) of the Hindu Marriage Act, 1955. The applicant married with respondent on 15/04/2008 at Hingone Tq. Chalisgaon Dist. Jalgaon. There are two children out of marriage and are in custody of the applicant. The learned Counsel for the applicant further submits that the applicant is house wife and residing with her parents. He submits that applicant would not be in a position to defend the proceedings before the court at Pune as distance between Pune to Dhule is 350 k.m. and it is difficult for applicant to attend the divorce proceeding at Pune. Applicant has no independent source of income.
3. The learned Advocate for the applicant further submits that there is Domestic Violence and interim maintenance proceedings pending between the parties initiated at Dhule and respondent husband is attending the same.

He submits that the applicant wife is a house wife, dependent on her family members.

4. Per contra, the learned Advocate for respondent submits that the husband is doing service and it would be difficult for him to conduct the proceeding at Dhule.

5. Having heard the learned Advocate appearing for the parties, I hold that it would be inconvenient for the applicant to attend the proceeding at Pune as she has no independent source of income. So also the respondent husband is attending the proceedings filed by the applicant wife at Dhule, as such the transferred proceeding can also be conducted at Dhule. Prayer Clause 'B' of the application reads as under : -

'B) The H.M.P.No.428/2024 pending before the Ld. Civil Court Senior Division, Pune may please be transfer to the court of Ld. Civil Judge Senior Division Court, Dhule and for that purpose issue necessary order.'

6. In view of the above, the application is allowed in terms of prayer Clause 'B' as above.

7. However, it is directed that on the transfer of the petition, the applicant wife shall not seek adjournments in the matter unnecessarily. In the event, she seeks adjournment, she would inform the Advocate for the husband in advance so as to avoid inconvenience to the husband. The Courts at Dhule and Pune to provide video conferencing facilities to the

husband to conduct the proceedings from Pune, if possible.

8. The parties to take common dates in all the matters pending in between them as far as possible. With above observation, the application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.