



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

56 MISC.CIVIL APPLICATION NO. 270 OF 2023

SADHNA NILESH BAGUL

VERSUS

NILESH YUVRAJ BAGUL

...

Advocate for Applicant : Mr. S.A.Kulkarni h/f Mr. P.R.Harshal

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 26, 2024

PER COURT :-

1. By the present application, the applicant prays for transfer of Marriage Petition No.96/2023 from Civil Judge, Senior Division, Shrirampur, Dist. Ahmednagar to Civil Judge, Senior Division, Chalisgaon Dist. Dhule.

2. Heard the learned Advocate for the applicant. He submits that the marriage between applicant and respondent took place on 27/05/2010 and on account of certain dispute, the applicant is residing with her parents at Chalisgaon. The respondent husband filed petition for divorce before the Civil Judge, Senior Division, Shrirampur, Dist. Ahmednagar. The applicant is unable to maintain herself. It will be convenient to attend the Court proceeding at Chalisgaon instead of Shrirampur. Distance between Chalisgaon to Shrirampur is 125 kilometers. There is one child out of said marriage.

3. The learned Advocate for the applicant submits that there is Domestic Violence proceeding i.e. PWDVA Application No.120/2023 pending between the parties initiated at Judicial Magistrate First Class, Chalisgaon, Dist. Jalgaon and respondent husband is attending the same. The respondent, though served, has not caused his appearance in the application.

4. The Domestic Violence Application is initiated at Chalisgaon and that it would be inconvenient for the wife to defend the divorce proceeding at Shrirampur. Prayer Clause 'B' of the application reads as under : -

"B. This Hon'ble Court by way of appropriate writ, order or directions in the like nature, be pleased to direct the learned Civil Judge, Senior Division, Shrirampur, Dist. Ahmednagar to transfer the Marriage Petition No.96/2023 to Civil Judge, Senior Division, Chalisgaon, Dist. Jalgaon."

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

6. However, it is directed that on the transfer of the petition, the

applicant wife shall not seek any 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.

7. The parties to take common dates for the Domestic Violence Application as well as Divorce Petition as far as possible. The application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.