



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

956 MISC.CIVIL APPLICATION NO. 285 OF 2023

ANJALI PARMEWSHWAR TONGE

VERSUS

PARMEWSHWAR DNYANESHWAR TONGE

...

Advocate for the applicant : Adv.Y.R.Shinde

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 21.03.2024

P.C. :

1] The respondent is served, none has entered appearance on behalf of the respondent.

2] The learned counsel for the applicant submits that the marriage between the applicant and respondent was solemnized on 04.02.2020. There are no children from the said wedlock. The applicant is residing at Paithan, District Aurangabad along with her parents. The applicant is not employed and that two proceedings are initiated by the applicant before the Paithan Court under the provisions of Domestic Violence Act and under the provisions of Section 125 of Criminal Procedure Code. The learned counsel for the applicant submits that in one of the proceedings under the provision of D.V. Act, the respondent – husband is attending the proceedings at Paithan. The learned counsel further submits that the respondent husband is in private

service and he would be able to attend the proceedings at Aurangabad. The learned counsel further submits that considering the aforesaid fact, the Marriage Petition No.84/2023 pending before the Civil Judge Senior Division, Ambajogai, may be transferred to the Civil Judge Senior Division at Aurangabad.

3] In view of the submissions canvassed more particularly there are proceedings pending at Paithan Court, District Aurangabad and that taking into consideration the fact that the applicant – wife is not in employment, it would be appropriate to transfer the Marriage Petition No.84/2023, pending before the Civil Judge Senior Division, Ambajogai, District to the Civil Judge Senior Division, Aurangabad. In view of the same, the present Misc. Civil Application is allowed in terms of prayer clause-B.

4] However, it is directed that on transfer, the applicant – wife would not seek unnecessary adjournment in the matter so as to avoid inconvenience to the respondent – husband to travel at Aurangabad. As far as possible, common dates be given in all the proceedings to avoid inconvenience to the respondent- husband. The Court at Aurangabad to permit the respondent – husband to appear through on V.C., if possible.

5] With the above observations, the present Misc.
Civil Application is disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC