



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

58 MISC. CIVIL APPLICATION NO. 300 OF 2023

**SAYALI PRANIL PADHYAR
VERSUS
DR.PRANIL RAJENDRA PADHYAR**

...
Advocate for the applicant : Mr.Vinod P. Patil
Advocate for Respondent : Mr.Abhay R. Rathod

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 02.09.2024

P.C. :

1] Heard the learned counsel for the applicant and the respondent.

2] By the present application, the applicant – wife seeks transfer of the HMP No.145 of 2023 filed by the respondent – husband before the Civil Judge Senior Division, Palghar to the Family Court at Jalgaon.

3] The learned counsel for the applicant submits that both the parties are the Doctors by profession. The applicant – wife is working as Doctor in the Municipal Hospital whereas the respondent – husband is working as

Doctor with the TATA Steel Company. The applicant – wife has custody of two minor children and the distance between Palghar to Jalgaon is 400 kilo meters. The learned counsel for the applicant submits that the applicant has custody of two minor children and it would difficult for her to conduct the divorce proceedings initiated by the respondent – husband at Palghar, as such, the applicant seeks transfer the said proceeding to the Family Court at Jalgaon as the respondent can conduct the said proceeding at Jalgaon.

4] *Per contra*, the learned counsel for the respondent – husband submits that the respondent – husband is paying maintenance to the children towards educational fees, etc.

5] However, considering the fact that the applicant – wife has custody of two minor children and it is difficult for her to defend the proceedings at Palghar, therefore, it would be appropriate to transfer the HMP No.145/2023 filed by the respondent – husband from Civil Judge Senior Division, Palghar to the Family Court at Jalgaon.

6] However, it is directed that the applicant – wife will not take unnecessary adjournments in the matter without informing the husband well in advance so as to avoid inconvenience to the respondent husband of travel. The Family Court at Jalgaon is directed to allow the respondent–husband to appear through Video Conferencing wherever it is possible so as to avoid inconvenience to the respondent-husband. The appearance of the respondent-husband be sought only if necessary.

7] The parties to appear before the Family Court at Jalgaon on 14th October, 2024, either personally or through Video Conferencing or through their Advocates.

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

[ARUN R. PEDNEKER]
JUDGE

DDC