



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 MISC.CIVIL APPLICATION NO. 343 OF 2023

SMT DNYANDA PRASHANT THORAT

VERSUS

PRASHANT DATTATRAY THORAT

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Advocate for Applicant : Mr. N. E. Deshmukh

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CORAM : ARUN R. PEDNEKER, J.

DATE : 23rd FEBRUARY, 2024

PER COURT:

1. Heard.
2. The respondent though served has not entered his appearance.
3. Mr. N. E. Deshmukh, learned counsel for the applicant submits that there are 2 proceedings initiated under section 498-A of the Cr.P.C. as well as under the Domestic Violence Act, 2005 at Jalgaon and the respondent husband is attending the said proceedings at Jalgaon. The learned counsel submits that the applicant is staying at Jalgaon with her minor child born on 11.04.2020. The learned counsel further submits that the applicant is in a private job at Jalgaon. The respondent – husband is executive engineer in MSRTC and has filed the proceedings under section 9 of the Hindu Marriage Act, 1955 at the family court at

Nashik. The applicant submits that, since, the applicant is in custody of a minor child and that other 2 proceedings are pending at Jalgaon the proceedings initiated by the husband at Nashik be transferred to Jalgaon.

4. Taking the totality of the circumstances, since, the applicant has custody of a minor child and that other 2 proceedings are also pending at Jalgaon, the Miscellaneous Civil Application is allowed in terms of prayer clause “B”. However, it is directed that all the proceedings at Jalgaon are to be taken as far as possible on the same date so as to avoid the inconvenience to the respondent husband to travel at Jalgaon on multiple occasions. The applicant would not seek adjournment without prior intimation to the other side so as to avoid inconvenience to the respondent husband to travel to Jalgaon.

5. The Miscellaneous Civil Application stands accordingly disposed of.

[ARUN R. PEDNEKER, J.]

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