



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

932 MISC.CIVIL APPLICATION NO. 353 of 2023

Stuti Viviyani Nirmal

....Applicant

VERSUS

Viviyani Vinod Nirmal

.....Respondent

.....

Mr. V. S. Wakale, Advocate for Applicant

Mr. Prashant Katneshwarkar, Advocate for the Respondent.

CORAM : R. M. JOSHI, J.

DATE : 26th JULY, 2024.

PER COURT :

1. This Application is filed by wife for seeking transfer of H.M.P. No A 134/2023 pending before Family Court, Jalna to Family Court, Aurangabad. It is the contention of Applicant that she has responsibility of minor child and hence it becomes difficult for her to attend the proceeding at Jalna.

2. Learned counsel for the Applicant submits that Respondent is employed at Aurangabad and hence in any case he has to come to Aurangabad on every working day. Thus, according to him, no prejudice will be caused to the Respondent if the proceeding is transferred as prayed.

3. Learned counsel for Respondent opposed the said contention by submitting ordinarily the proceedings filed before the competent Court are not to be transferred casually.

4. There is no dispute about the fact that the Applicant/wife has responsibility of a child. Similarly, Respondent for attending his work is required to come to Aurangabad. Thus, no prejudice will be caused to the Respondent if the proceeding is transferred from Jalna to Aurangabad. Hence, Application is allowed in terms of prayer clause 'B'.

5. Learned counsel for Respondent submits that there are two proceedings filed by wife which are pending at Aurangabad. It is his apprehension that the husband is likely to be harassed by keeping these matters on different dates.

6. This Court finds substance in the said submission as it is often found that hearing of various proceedings are kept on different dates to cause harassment to the other side. In view of this, the concerned Courts are directed to keep hearing of all these

proceedings as well as any other proceeding filed by wife hereinafter on the same day. It is the responsibility of the wife to communicate this order to all concerned Courts.

(R. M. JOSHI)
Judge

dyb