



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

104 MISC.CIVIL APPLICATION NO. 359 OF 2023

RUPALI KAILAS BHOI
VERSUS
KAILAS GANESH BHOI

...
Advocate for Applicant : Ms. Rani Bharuka-Bora h/f. Mr. Bora Satyajit S.
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CORAM : ARUN R. PEDNEKER, J.
Dated : October 07, 2024

PER COURT :-

1. Heard.
2. By the present application, the applicant/wife seeks transfer of the divorce proceeding bearing No. HMP No. 37/2023 initiated by the respondent/husband before Civil Judge, Senior Division, Amalner to Civil Judge, Senior Division, Malegaon.
3. The learned counsel for the applicant/wife submits that applicant got married with respondent on 6.6.2010 and they have one son, 11 years old, who is in the custody of the wife. The applicant/wife is working in Forest Department and the respondent/husband is the teacher in Zilla Parishad, School. The learned counsel submits that another proceeding under the Domestic Violence Act initiated by the applicant/wife is also pending in the Court of Malegaon and the husband is attending the same. The learned counsel submits that when the applicant/wife has gone to attend the proceeding initiated by the husband at Amalner, she was threatened by the family members of the husband and as such, she has registered non-

cognizable case against the husband before the police. The learned counsel submits that the husband can conduct the proceeding at Malegaon Court as he is attending the proceeding filed by the wife at Malegaon.

4. The respondent, though served, has not filed appearance in the matter.

5. Considering the submissions made above, I deem it appropriate to transfer the proceeding filed by the husband at Amalner Court to Malegaon Court. Hence, the application is allowed and the HMP No. 37/2023 pending before the Civil Judge, Senior Division, Amalner is transferred to Civil Judge, Senior Division, Malegaon. However, on transfer, it is directed that the applicant/wife would not seek unnecessary adjournment in the matter without informing the husband or his advocate well in advance. So also common dates be taken in all the proceedings filed by the parties before Malegaon Court. With this observations, the application is disposed of.

(ARUN R. PEDNEKER, J.)

ssc/