



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

58 MISC.CIVIL APPLICATION NO. 366 OF 2023

VAISHANAVI JITENDRA FATANGRE

VERSUS

JITENDRA JALINDAR FATANGRE

...
Advocate for Applicant : Mr. Shahaji K. Shinde

CORAM : ARUN R. PEDNEKER, J.

Dated : February 26, 2024

PER COURT :-

1. By the present application, the applicant prays for transfer of Petition No. A-388/2023 from Family Court, Thane to Civil Judge, Senior Division, Sangamner Dist. Ahmednagar.

2. Heard the learned Advocate for the applicant. He submits that the respondent husband filed Petition No.A-388/2023 in the Family Court, Thane for divorce. The applicant married with respondent on 05/02/2022 and that on account of certain dispute, she is now residing with her parents at Sangamner Dist. Ahmednagar. She is a house wife. There is no issue out of marriage.

3. The learned Advocate for the applicant further submits that there is Domestic Violence proceeding I.e Criminal Enquiry

Application No.364/2023 pending between the parties initiated at Sangamner and respondent husband is attending the same. He submits that the applicant wife is a house wife, dependent on her family members, whereas respondent husband is an Information Technology Engineer working at Thane. Distance between Thane to Sangamner is 250 kilometers. The respondent, though served through his father, has not caused his appearance in the application.

4. The Domestic Violence proceeding is initiated at Sangamner and that it would be inconvenient for the wife to defend the divorce proceeding at Thane. Prayer Clause 'B' of the application reads as under : -

"B) To transfer the proceeding in petition No.A-388/2023 pending before the Family Court at Thane to Court of Civil Judge, Senior Division, Sangamner, District Ahmednagar."

5. In view of the above, the application is allowed in terms of prayer Clause 'B' as above.

6. However, it is directed that on the transfer of the petition, the applicant wife shall not seek any adjournments in the matter

unnecessarily. In the event, she seeks adjournment, she would inform the Advocate for the husband in advance so as to avoid inconvenience to the husband.

7. The parties to take common dates for the Domestic Violence Application as well as Divorce Petition as far as possible. The application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.