



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 363 OF 2023

Reshma Wo Pravin Rathod @ Reshma D/o Ashok Rathod

VERSUS

Pravin Gorakh Rathod

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Mr. A. D. Kulkarni, Advocate for Applicant (VC)

Mr. R. P. Savale, Advocate for Respondents

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CORAM : R.M. JOSHI, J

DATE : AUGUST 02, 2024

PER COURT :

1. This application is for transfer of Marriage Petition bearing No. 243/2023 pending before CJSD, Chalisgaon to Family Court, Aurangabad.

2. It the contention of the Applicant that being a lady it is not convenient for her to travel about 100 kms. It is also contended that Respondent/Husband is resident of District Thane. Thus, no inconvenience will cause to him if proceedings are transferred as prayed.

3. Learned Counsel for Respondent opposed the said contention by citing distance between Chalisgaon and Aurangabad to be 90 kms only.

4. There is no dispute about the fact that Respondent/Husband is working and is resident of Kalyan, District Thane. Thus, no inconvenience will cause to him if the proceeding is transferred from Chalisgaon to Aurangabad. It is settled law that the convenience of wife is paramount in cases of transfer of proceedings. Hence, application is allowed in terms of prayer clause 'B'. Parties are directed to appear before the Family Court at Aurangabad on 16.08.2024. No fresh notice to be issued by the Family Court for appearance of the parties.

(R. M. JOSHI, J.)

Malani