



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

982 MISC.CIVIL APPLICATION NO. 200 OF 2024

Pramila Sanjay Kamble

VERSUS

Sanjay Bhimrao Kamble

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Advocate for Applicant : Mr. Pankaj A. Bharat h/f Wakure Sambhaji S.

Advocate for Respondents : Mr. U.I. Momale

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CORAM : ARUN R. PEDNEKER, J.

Dated : October 18, 2024.

PER COURT :-

1. By the present application, the applicant prays for transfer of H.M.P. No.A/172/2024 from Family Court, Kolhapur to District Court, Osmanabad.
2. Heard the learned Advocate for the applicant. He submits that the respondent husband filed H.M.P. No. A/172/2024 in the Family Court, Kolhapur, for divorce under Section 13(1)(i-a) of the Hindu Marriage Act, 1955. The applicant married the respondent on 30/04/2022 at Osmanabad/Dharashiv. They have one daughter from the marriage. Due to some matrimonial disputes, the applicant is residing at her parents' house at Dharashiv (Osmanabad). The distance between Osmanabad and Kolhapur is 303 km, making it difficult for the applicant to attend the divorce proceedings at Kolhapur. The applicant has no independent source of income.
3. The learned Advocate for the applicant further submits that there is

a Domestic Violence proceeding bearing PWDVA No. 39/2024 pending between the parties, initiated at Osmanabad, and the respondent husband is attending the same. He submits that the applicant wife is a housewife and is dependent on her family members.

4. The learned Counsel for the respondent husband has fairly considered the prayer and has not objected to the transfer of the petition filed by the husband. However, he submits that common dates should be given in the matter to avoid inconvenience to the respondent.

5. Prayer Clause 'B' of the application reads as under : -

'B) By way of appropriate order or directions in the like nature, the Hon'ble Court may kindly be pleased to transfer the Hindu Marriage Petition No.A/172/2024 pending before the Ld. Family Court Kolhapur to the Ld. District Court, Osmanabad.'

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

7. However, it is directed that on the transfer of the petition, the applicant wife shall not seek 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.

The Courts at Kolhapur and Osmanabad to provide video conferencing facilities to the husband to conduct the proceedings from Kolhapur, if possible.

8. The parties to take common dates in all the matters pending in between them as far as possible. With above observation, the application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.