



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

MISC.CIVIL APPLICATION NO. 130 OF 2023

MANJUSHA SURESH JOSHI ALIAS AAKANKSHA NARENDRA
KULKARNI

VERSUS

NARENDRA ARUN KULKARNI

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Mr. M. R. Malpani h/f Mr. Vakil Afzal Husain M., Advocate for
Applicant.

Mr. Z. H. Farooqui h/f Mr. N. V. Gaware, Advocate for Respondent.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 01st JULY, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. By present application, applicant/wife seeks transfer of Divorce Petition No.1595/2022 filed by husband before Family Court at Pune to Family Court at Dhule.
3. The learned Advocate appearing for applicant submit that applicant is residing at Dhule after matrimonial dispute between parties. He points out that three proceedings, namely—(i) a proceeding under Section 125 of the Criminal Procedure Code bearing Petition No. 106/2022, (ii) a domestic violence proceeding bearing No. 128/2018, and (iii) RCC No. 296/2018 for the offence punishable under Section 498-A of the Indian Penal Code are pending before the Family Court at Dhule and the Judicial Magistrate First Class at Dhule, respectively. The husband has

filed Petition No.1595/2022 before Family Court at Pune seeking divorce. The applicant, being a lady, is unable to undertake travel from Dhule to Pune due to the long distance. It is submitted that, husband had attended all other proceeding at Dhule and he would have no difficulty to attend proceeding of divorce, if transferred to Family Court at Dhule.

4. The learned Advocate appearing for respondent, however, strongly opposes application contending that petitioner is educated lady. She took her education at Pune and frequently visits Pune on various occasions, therefore, she has no difficulty to attend proceeding at Family Court at Pune.

5. Considering submissions advanced, it can be observed that earlier proceedings are pending at Family Court at Dhule and Judicial Magistrate First Class at Dhule and husband is attending the same. It is trite that, convenience of wife has to be given precedence over convenience of husband in case of matters relating to transfer of matrimonial proceedings. In this background, if divorce proceeding is transferred to Family Court at Dhule, no prejudice would be caused to respondent. Hence, this Court is inclined to allow application and it is accordingly allowed in terms of prayer Clause (B).

6. Parties to appear before Family Court at Dhule on
11.08.2025.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/July-2025