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15-MCA-15-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 MISC. CIVIL APPLICATION NO. 15 OF 2024

Pooja Karan Pawar

VERSUS

Karan Suresh Pawar

...

Mr. Vinod Prakash Patil, Advocate for Applicant.

Mr. V. S. Tawde h/f Mr. Sandeep Singh Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 12th FEBRUARY 2025

PC :-

1. Heard the parties.
2. This application is filed at the instance of wife for transfer of the proceeding of Hindu Marriage Petition No.658 of 2023 filed by the respondent husband in the Court of learned Civil Judge, Senior Division, Panvel to the learned Judge, Family Court at Jalgaon.
3. The learned Advocate for the applicant submits that the distance between two places is about 400 k.m. He further submits that to avoid conflicts in judgments in the two proceedings, it is desirable to transfer the proceeding from the Court of learned Civil Judge, Senior, Division,

Panvel to the learned Judge, Family Court at Jalgaon so that both the cases can be decided by the same Court. The wife has also filed proceeding under Section 9 of the Hindu Marriage Act for restitution of conjugal rights in the Family Court at Jalgaon.

4. The learned Advocate for the respondent contends that the wife is in fact serving at Pune. The distance between Pune to Panvel is hardly 100 k.m. Only to harass the respondent, she has filed case at Jalgaon.

5. The learned Advocate for the applicant however submits that the wife has left that job long back and presently she is residing at Jalgaon with her parents.

6. Considering above, this Court is inclined to allowed the application. Application is therefore allowed in terms of prayer clause (B).

7. After the proceeding is transferred, the applicant-wife shall co-operate in speedy disposal of the proceedings without seeking unnecessary adjournments. If the Court finds that unnecessary adjournments are sought by the applicant, the Court may pass appropriate order compensating the respondent whenever he attends the

court proceedings.

8. The learned Judge, Aurangabad shall try to dispose of the proceeding as early as possible and preferably within eighteen (18) months from the date of transfer of the proceeding.

9. Both the proceedings i.e. HMP No.658 of 2023 and HMP No.214 of 2022 be taken together.

10. Whenever the request is made by the respondent-husband to appear through Video Conferencing, such request shall be considered properly.

11. With this, application stands disposed off.

[KISHORE C. SANT, J.]