



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

MISC.CIVIL APPLICATION NO. 13 OF 2025

**SNEHAL VAIBHAV LOKHANDE
VERSUS
VAIBHAV PRABHAKAR LOKHANDE**

...

Mr. Aghav Avinash Dattatrya, Advocate for Applicant

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 31.07.2025

PER COURT :-

1. Heard Mr. Avinash Aghav, learned Advocate appearing for applicant.
2. Although notice of this application is served upon respondent, none appears.
3. By this application, applicant seeks transfer of Petition No.179 of 2024 filed by respondent before learned Civil Judge Senior Division, Rahata to learned Family Court at Ahmednagar.
4. Mr. Avinash Aghav, learned Advocate appearing for applicant submits that marriage between applicant and respondent has been solemnized in the year 2023. The couple is blessed with one daughter, who is aged about one year. Due to ill-treatment meted to applicant, she was required to leave matrimonial home and now she is

residing along with her parents at Ahmednagar. He submits that Applicant-wife has instituted P.E. No.98 of 2024 against respondent-husband under Section 144 of Bharatiya Nagarik Suraksha Sanhita before Family Court at Ahmednagar for grant of maintenance. The respondent-husband has filed Petition No.179 of 2024 before learned Civil Judge Senior Division at Rahata under Section 9 of Hindu Marriage Act for restitution of conjugal rights.

5. Mr. Aghav further submits that since applicant is taking care of infant, it would be difficult for her to travel and attend proceeding at Rahata. He submits that distance between Rahata to Ahmednagar is about 70 kilometers. As such, he urges that proceeding filed by respondent-husband be transferred to Family Court at Ahmednagar.

6. Having considered submissions advanced, it can be observed that applicant is residing at Ahmednagar along with her daughter. She has already instituted P.E. No.98 of 2024 before Family Court at Ahmednagar. The distance between Rahata to Ahmednagar is about 70 kilometers. It would be difficult for applicant to travel such distance and attend proceeding. On the other hand, there is nothing on record to show that respondent would have any difficulty to attend proceeding at Ahmednagar.

7. In this background, as per guidelines laid down by Hon'ble Supreme Court in case of *N. C. V. Aishwarya Vs. A. S. Saravana Karthik Sha, reported in AIR 2022 SC 4318*, convenience of wife has to be given precedence in the matter of transfer of matrimonial proceedings. Further, when there are multiple matrimonial proceedings pending between parties, it is advisable that all such proceedings are taken up together at one and same place.

8. In result, case is made out to allow application and same is **allowed** in terms of prayer clause 'B'.

9. Parties to appear before Family Court at Ahmednagar on 09.09.2025.

[S. G. CHAPALGAONKAR, J.]

HRJadhav