



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

MISC. CIVIL APPLICATION NO. 17 OF 2025

Shubhangi W/o Shrikrushna Gawade .. Applicant

Versus

Shrikrushna Baburao Gawade .. Respondent

Smt. Sunita G. Sonawane, Advocate for the Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 14th OCTOBER, 2025.

PER COURT :-

1. Heard learned advocate for the applicant.
2. In spite of service, none appears for respondent.
3. By way of this application, the applicant - wife is seeking transfer of Regular Civil Appeal No. 15/2024 from the Court of learned District Judge – 2, Sindhudurg to the Court of learned District Judge, Ahmednagar.
4. It is the case of the applicant – wife that, the proceeding was filed by the husband at Oros bearing Marriage Petition No. 197/2022. The wife could not appear in the Court at Oros

because of the distance. The said proceeding came to be decided ex-parte and the order came to be passed granting divorce. Now, the applicant has preferred an appeal in the learned District Court at Sindhudurg. It is further stated that, because of the distance she is unable to travel such a long distance. There are no direct buses available to go to Sindhudurg from Ahmednagar. Presently, she is residing at Ahmednagar with her parents. Because of old age even the parents are not in a position to accompany her. One proceeding under the Protection of Women from Domestic Violence Act is filed and is pending in the Court at Ahmednagar. Therefore the wife seeks transfer of the proceeding of the appeal.

5. It appears that, the respondent does not have any objection as in spite of service he has not appeared before this Court.

6. Considering that, it is the convenience of the wife that requires to be kept in mind, this Court finds that, it would be in the interest of justice to allow the present application. Hence, following order :

ORDER

(I) Misc. Civil Application is allowed in terms of prayer clause (B).

(II) After transfer of the proceeding, the applicant – wife shall not seek any unnecessary adjournments. If the learned Court finds that, unnecessary adjournments are sought, the learned Court may pass appropriate order compensating the respondent – husband if he remains personally present.

(III) If a request is made by the respondent – husband to appear through video conferencing facility, the same shall be liberally considered by the learned Court.

(IV) With this, Misc. Civil Application stands disposed of.

(KISHORE C. SANT, J.)

P.S.B.