



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO. 25 OF 2025

Vaishnavi W/o Sankalp DeshpandeApplicant

VERSUS

Sankalp S/o Sanjay DeshpandeRespondent

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Mr. Ashok Gaikwad, Advocate for Applicant.

Ms. S. T. Jadhav, Advocate holding for Mr. A. R. Tapse, Advocate for the Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 19th NOVEMBER, 2025.

PER COURT :

1. Heard learned Advocates for the parties.
2. This Application is by wife seeking transfer of the matrimonial proceeding filed by the Respondent/husband in the Court at Ambajogai to the Family Court at Parbhani.
3. The wife has filed two proceedings; HMP No. 148/2024 in the Family Court at Parbhani and PWDVA No. 11/2025 in the Court of Judicial Magistrate First Class, Parbhani, under the provisions of Protection of Women from Domestic Violence Act. It is stated that the wife is residing with her parents and one daughter. She finds it

difficult to travel the distance of 100 km. to attend the Court at Ambajobai. The learned Advocate, therefore, prays to allow the Application.

4. Application is vehemently opposed by learned Advocate for the Respondent. She submits that both the proceedings filed by the husband are filed subsequent to filing of the proceeding under Hindu Marriage Act. It is clear that both the proceedings are filed only as counterblast. If at all the proceeding is to be transferred, the proceeding at Parbhani needs to be transferred to the Court at Ambajogai.

5. Since the wife is staying with a daughter, it is certainly difficult for her to travel a distance of 100 km one side to attend the Court. Both the petitions are under Hindu Marriage Act and in that case, it would be convenient for the wife if the proceeding is transferred to Parbhani. This Court finds that the Application needs to be allowed and the same is accordingly allowed with following order :-

ORDER

- (i) Application is allowed in terms of prayer clause 'B'.

(ii) Applicant/wife shall not seek unnecessary adjournment after transfer of the proceeding to Parbhani.

(iii) If the Court finds that adjournments are unnecessarily sought by the wife, the Court may impose cost so as to compensate the husband if he remains personally present.

(iv) Whenever a request is made by the husband seeking permission to appear through video conferencing facility, the same shall be considered.

(KISHORE C. SANT)
Judge

dyb