

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 35 OF 2025

Mrs Aliya Mohd Mazhar Kacchi

VERSUS

Mr Mohammad Mazhar Abdul Malik Kacchi

...

Advocate for Applicant : Mr. Narwade Narayan Bhausahab

...

CORAM : S. G. CHAPALGAONKAR, J.

DATED : JULY 03, 2025

PER COURT :-

1. The applicant seeks transfer of Petition No.A-2502/2023 pending before Family Court, Mumbai at Bandra to Family Court at Ahmednagar.
2. Learned advocate appearing for applicant submits that she is residing at Ahmednagar along with old parents and a child of three years of age. The applicant has filed three proceedings at Ahmednagar against husband. The husband is attending those proceedings. However, he instituted Petition No.A-2502/2023 under Section 281 of Mohammadan Law before Family Court at Bandra. The wife would face difficulties in attending proceeding at Bandra due to long distance between place of her residence and Family Court at Bandra, so also she has a child aged about three of years.
3. Although notice of this application is served upon respondent, none appears. Looking to the grounds as raised in this application and submissions advanced, it is apparent that applicant

would have difficulty in attending proceedings of Court at Bandra. Already three matrimonial proceedings are pending at Ahmednagar. The husband would have no difficulty in attending the Court at Ahmednagar, if the proceeding pending before the Court at Bandra is transferred. It is trite that convenience of wife will have to be given precedence over convenience of husband.

4. In that view of matter, case is made out to allow the application and it is accordingly allowed in terms of prayer clause (B).

5. Parties to appear before Family Court at Ahmednagar on 18.08.2025.

(S.G. CHAPALGAONKAR, J.)