



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 MISC.CIVIL APPLICATION NO. 18 OF 2024

SAPNA SUNNY HOLKAR

VERSUS

SUNNY SHOUL HOLKAR

...

Advocate for Applicant : Mr. Ashutosh S. Kulkarni

Advocate for Respondent : Mr. G.G. Gabhud,

Mr. N.T. Bhagat and Mr. Sunil B. Jadhav.

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CORAM : KISHORE C. SANT, J.

DATE : 17.02.2025

PER COURT :

1. Heard the learned Advocates for the parties.
2. This application is filed at the instance of wife for transfer of the proceeding of Petition A No.163 of 2023 filed by the respondent husband pending before the Court of learned Judge, Family Court, Sangli to the Court of learned Judge, Family Court at Parbhani, District Parbhani.
3. The learned Advocate for the applicant submits that the distance between Sangli to Purna is about 460 km. It is submitted that, the applicant has filed a proceeding under the Domestic Violence Act bearing PWDVA No. 20 of 2023 before the Judicial Magistrate First Class, Purna.

4. The learned counsel for the applicant submits that though the applicant is in service at Aurangabad at present, however, when the application was filed, she was staying at Purna with her parents.

5. The application is vehemently opposed by the learned Advocate for respondent-husband. The respondent has filed proceeding under Section 9 of the Hindu Marriage Act for restitution of conjugal rights in the Family Court at Sangli.

6. Considering the above, this Court finds convenience of both the parties in transferring the proceeding at Aurangabad, where the wife is residing. This Court is therefore, inclined to allow the application.

7. Therefore, the application is partly allowed.

8. The proceeding bearing Petition A No.163 of 2023 stands transferred from the Court of learned Judge, Family Court, Sangli to the Court of learned Judge, Family Court at Aurangabad.

9. 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.

10. The learned Judge, Family Court, 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.

11. With this, application stands disposed off.

(KISHORE C. SANT)
JUDGE

shp/-