



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

4 MISC.CIVIL APPLICATION NO. 37 OF 2024

SUVARNA W/O DHIRAJ MORE

VERSUS

DHIRAJ S/O GAUTAMRAO MORE

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Advocate for Applicant : Mr. S. J. Naik

Advocate for Respondent sole: Mr. B. S. Dhawale

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CORAM : KISHORE C. SANT, J.

Dated : March 04, 2025

PER COURT :-

1. Heard the parties.
2. This application is filed by the applicant-wife seeking transfer of matrimonial proceeding pending before the learned Family Court, Pune to the learned Civil Judge, Senior Division Udgir, Dist. Latur.
3. The learned Advocate for the applicant submits that, though, at that relevant time, she was residing at Pune, she was required to shift to Udgir at a place of her brother. The proceeding is therefore sought to be transferred stating that, the distance between Pune and Udgir is around 500 kms.

4. Mr. Dhawale, learned Advocate for the respondent vehemently opposes the application. He submits that, the proceeding is started in the year 2017. Now, the evidence is almost completed. The applicant-wife got herself examined in the proceeding. Thereafter, three more witnesses have been examined. The proceeding is at the fag end of trial. He further points out that, in the proceeding bearing Cri. M. A. No. 1674/2022, she clearly accepted that, she is still residing at Pune. This evidence is recorded on 16.08.2024 i.e. after filing of the present application in February 2024. He submits that, in spite of such position now, one more application under Section 125 of Hindu Marriage Act is filed at Udgir. He submits that, this is only to harass the respondent-husband. He thus prays for rejection of the application.

5. After hearing the parties, it is seen that, the proceeding bearing Marriage Petition A No. 555 of 2017 is sought to be transferred. It is pointed out that, the evidence is already over. Since 2017 till February 2024, the applicant-wife did not find it necessary to transfer the proceeding. Even now, she is residing at Pune as is clear from her evidence given in

Cri. M. A. No. 1674/2022. Considering the above, this Court has no hesitation in rejecting the application. This application is filed only to harass the respondent-husband. No ground is made out to entertain the application after such a long period at this stage. Hence following order :

ORDER

- i. The Miscellaneous Civil Application stands rejected with no order as to costs.
- ii. The application is pending since 2017, it is expected of the Trial Court to expedite the trial and to complete it within one (01) year from today.

(KISHORE C. SANT, J.)

PRW