



(1)

54-MCA-51-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 MISC.CIVIL APPLICATION NO. 51 OF 2024

Sonakshi Atulkumar Sharma-Purohit

VERSUS

Atul Hanuman Sharma

...

Ms. Rani Bhanuka Bora h/f Mr. S. S. Bora, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 27th JANUARY 2025

PC :-

1. Heard the learned Advocate for the applicant.
2. None appears for the respondent, inspite of service of notice.
3. This application is filed seeking transfer of proceeding bearing Petition-A No.203 of 2023 pending in the Family Court, Nanded to the Family Court at Parbhani.
4. It is the case of the applicant-wife that, presently she is residing with her parents at Selu Dist. Parbhani. The parents are not in a position to accompany her to travel to Nanded where the distance is about 120 k.m. It is further case that, there is four years son who is staying with

the applicant. If the applicant is to travel, she has to carry a son with her which causes inconvenience. There are three other proceedings pending at Selu i.e. one a complaint under Sections 498A, 323, 504, 506 r/w 34 of the Indian Penal Code. Another proceedings is in respect of claiming maintenance under Section 125 of the Criminal Procedure Code, and the third proceeding is under the Domestic Violence Act. It is submitted that, the respondent has already appeared in all these three cases and as such she is required to come to Selu. Since there is no Court of Civil Judge Senior Division at Selu, the proceedings needs to be transferred to the nearest Court at Parbhani i.e. Family Court at Parbhani.

5. Considering all above, this Court is inclined to allow the petition. Hence, the following order:-

ORDER

- (i) Application is allowed in terms of prayer clause (b).
- (ii) After the proceeding is transferred, the applicant shall co-operate in speedy disposal of the proceedings without seeking unnecessary adjournment. If the Court finds that unnecessary adjournments are

sought by the applicant, the Court shall deal with it to compensate the respondent.

(iii) The learned Judge, Parbhani shall try to dispose of the proceeding as early as possible and preferably within two years from the transfer of the proceeding.

(iv) With this application stands disposed off.

[KISHORE C. SANT, J.]