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930-MCA-51-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 MISC.CIVIL APPLICATION NO. 51 OF 2025

Priyanka Amar Dhale
VERSUS
Amar Chandrashekhar Dhale

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Mr. Santosh N. Patne, Advocate for Applicant.
Ms. Shital Salunke, Advocate for respondent.

CORAM : KISHORE C. SANT, J.
DATE : 11th NOVEMBER 2025

PC :-

1. Heard the parties for some time.
2. This application is filed at the instance of the wife seeking transfer of the matrimonial proceeding i.e. Hindu Marriage Petition A No.49 of 2024 from the court of learned Judge, Family Court, Pune to the Court of learned Civil Judge, Senior Division, Omerga.
3. It is the case of the applicant-wife that she finds it difficult to attend the Court at Pune, as the distance between two places is around

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350 k.m. There is a three years child, who is staying with the applicant-wife. She is residing with her old aged parents at Jalkot, Taluka, Tuljapur Dist. Osmanabad. She thus finds it difficult to travel such distance as there is no one in the family to accompany her to attend the Court at Pune. Two different proceedings are already pending in the Court at Omerga, one Criminal M. A. No.162 of 2021 seeking maintenance under Section 125 of the Cr.P.C. Other proceeding is the complaint bearing R.C.C. No.141 of 2024 filed at the instance of wife for the offence punishable under Section 498-A of Indian Penal Code, 1860. The husband has appeared in both the proceedings. The learned Advocate thus submits that it is the fit case to allow the application.

4. The application is vehemently opposed by the learned Advocate for the respondent.

5. However, considering that the wife is staying with daughter aged three years, it is certainly difficult for her to travel to Pune to attend the court proceeding. Two proceedings are already filed prior filing of the

Hindu Marriage Petition in the Court at Omerga.

6. Considering above, this Court is inclined to allow the application.

Hence, the following order:-

ORDER

- (i) Misc. Civil Application stands allowed.
- (ii) The proceedings of Hindu Marriage Petition A No.49 of 2024 pending before the Court of learned Judge, Family Court Pune stands transferred to the Court of learned Civil Judge Senior Division, Omerga.
- (iii) After transfer of the proceeding, the applicant shall not seek unnecessary adjournments. In case the Trial Court finds that the adjournments are unnecessarily sought, the Trial Court may deal with such application, so as to compensate the respondent-husband, if he personally remains present.
- (iv) After transfer the learned Trial Judge shall try to dispose off the proceeding as early as possible and preferably within one (1) year from the date of transfer.

(v) Whenever request is made by the respondent-husband seeking permission to appear through video conferencing, the same shall be considered liberally by the trial Court.

(vi) With this, Misc. Civil Application stands disposed off.

[KISHORE C. SANT, J.]