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952-MCA-105-2023

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

952 MISC. CIVIL APPLICATION NO. 105 OF 2023

Sow Neha Nagesh Dolaskar @ Neha D/o Vijaykumar Singatkar

VERSUS

Nagesh S/o Dilip Dolaskar

...

Mr. Siddhesh A. Deshmukh h/ Mf. C. S. Tembhurnikar, Advocate for Applicant.

Mr. Bharat G. Londhe, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 3rd OCTOBER 2025.

PC :-

1. Heard the parties.
2. This application is filed by the wife seeking transfer of matrimonial proceeding bearing Marriage Petition No.A-472 of 2022, from the Court of learned Judge, Family Court, Thane to the Court of learned CJSD, Bhusawal Dist. Jalgaon.
3. It is the case that the applicant-wife has already filed proceedings and those are pending in the Court at Bhusawal. One proceeding under Section 125 of the Cr.P.C. for maintenance and another under the

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provisions of Protection of Women from Domestic Violence Act which are decided in favour of the wife. Both the parties have filed appeals and those are also pending in the Court at Bhusawal.. The learned Advocate for the Applicant thus prays that the proceeding of Marriage Petition No.A-472 of 2022 be transferred.

4. Learned Advocate for the respondent-husband vehemently opposed the application. However, he accepts that there are already proceedings pending in the Court at Bhusawal and he has also given the numbers of the proceedings which are as under:

(i) Criminal Appeal No.24 of 2025, (ii) Criminal Revision No.17 of 2025, (iii) Criminal Appeal No.25 of 2025, (iv) Criminal Revision No.21 of 2025, (v) RCC No.236 of 2025, (vi) Criminal M. A. No.53 of 2025 and (vii) PWDVA No.17 of 2025.

5. Considering above position, this Court is inclined allow the application. Hence, the following order:

ORDER

- (i) Misc. Civil Application stands allowed.
- (ii) The proceeding of Marriage Petition No. A-472 of 2022 pending in the Court of learned Judge, Family Court, Thane stands

transferred to the Court of learned CJSD, Bhusawal Dist. Jalgaon.

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

(v) As far as possible, the date be given as per the convenience of the husband.

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

[KISHORE C. SANT, J.]