



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

MISC.CIVIL APPLICATION NO. 58 OF 2024

ROHINI SWAPNIL BAVA
VERSUS
SWAPNIL DILIP BAVA

...

Mr. Dinesh D. Daud h/for Mr. Shinde Manoj Dharmaraj, Advocate for Applicant
Mr. V. R. Mundada , Advocate for Respondent

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 08.07.2025

PER COURT :-

. By this application, applicant-wife seeks transfer of Hindu Marriage Petition No.268 of 2023 filed by respondent-husband before learned Civil Judge Senior Division at Nashik to learned Family Court, Latur.

2. Learned Advocate appearing for applicant submits that marriage between applicant and respondent took place in the year 2019. However, due to harassment and torture, applicant was forced to leave matrimonial home and now she is residing with her parents at Latur. Applicant has instituted proceeding No.67 of 2023 under Section 125 of Criminal Procedure Code seeking maintenance before Family Court at Latur. Similarly, she has filed Criminal M.A. No.50 of 2023 before learned Chief Judicial Magistrate at Latur under provisions of DV Act. In this background, respondent-husband has filed Hindu Marriage Petition No.268 of 2023 before learned Civil Judge Senior Division at Nashik. The

distance between Latur to Nashik is about 450 kilometers. Applicant has difficulty to attend proceeding at Nashik.

3. Considering submissions advanced and stipulations in the application, it is clear that applicant is residing with her parents at Latur. There are two proceedings pending at Latur, one before learned Family Court and another before learned Chief Judicial Magistrate at Latur. Subsequently, respondent-husband has instituted Hindu Marriage Petition No.268 of 2023 before learned Civil Judge Senior Division, Nashik.

4. It is trite that, convenience of wife has to be given precedence in the matter of transfer of matrimonial proceedings as per guidelines laid down by Hon'ble Supreme Court in case of *N. C. V. Aishwarya Vs. A. S. Saravana Karthik Sha, reported in AIR 2022 SC 4318*. Apart from that when there are multiple proceedings pending between the parties, it is desirable to bring them at one and same place. In present case, there are two proceedings pending at Latur. Nothing is brought to the notice of this Court indicating that respondent-husband would have difficulty to attend Court at Latur, if Hindu Marriage Petition No.268 of 2023 pending at Nashik is transferred.

5. In result, Miscellaneous Civil Application is **allowed** in terms of prayer Clause 'B'.

6. Parties to appear before Family Court at Latur on 18.08.2025.

[S. G. CHAPALGAONKAR, J.]