



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

MISC. CIVIL APPLICATION NO. 66 OF 2024

Sau. Manisha W/o Ganesh Kanure
@ Manisha D/o Hulaji Jagdale
Age : 26 years, Occu. : Household,
Permanent resident of Marpali, Tq. Aurad (Ba)
District Bidar, Karnataka State.
At present r/o. H. No. 11-2-740
'Bhau Niwas', Waghala, Nanded,
District Nanded -431 603,
Mobile No. 8788130916.

.. Applicant

Versus

1. Shri. Ganesh S/o Bapurao Kanure
Age : 32 years, Occu. : Service,
R/o. Vishwa Sagar City, Katpur Road,
Basveshwar Chowk, Latur,
District Latur.

2. Shri. Kapil s/o Venkatrao Patil,
Age : 35 years, Occu. : Business,
R/o. : Marpali, Tq. Aurad (Ba),
District Bidar, Karnataka State.

.. Respondents

Mr. Amit A. Mukhedkar, Advocate for the Applicant.
Mr. Ajinkya S. Reddy, Advocate for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 11th FEBRUARY, 2025.

P C. :-

. Heard the parties.

2. This application is for transfer of matrimonial proceedings from

the Court of learned Family Judge, Latur to the Court of learned Family Judge, Nanded. The proceeding is initiated by respondent No. 1 - husband seeking divorce.

3. It is the case of the wife that, she was residing with the children at Nanded. In the meantime the husband has forcefully taken the custody of the children and for that reason she is required to file proceeding under Section 97 of the Code of Criminal Procedure which is presently pending in the Court at Nanded. There is one more proceeding filed for maintenance that is also pending at Nanded. It is therefore prayed that the proceeding before the Court at Latur be transferred to the Court at Nanded.

4. The learned advocate for respondent No. 1 vehemently opposes the application. He submits that the distance between Latur and Nanded is hardly 110 Kms. There are more facilities available of transportation. The children are staying with the husband. The husband is working in the Government. If he has to attend the Court proceeding, he requires to take leave from the office. He further submits that, twice there are complaints filed by the husband against the relatives of the wife as there was assault of many visitors at Nanded for Court proceedings. Thus, he opposes the prayers.

5. Considering that already three proceedings are pending before the Court at Nanded and since wife is also residing at Nanded, it would be in the interest of justice to transfer the proceeding at a place of convenience of the wife. Hence, the following order.

6. The Misc. Civil Application is allowed in terms of prayer clause (C). After transfer of the proceeding the learned Trial Court shall make an attempt to decide the proceeding as early as possible and preferably within a period of one (01) year from the date of such transfer. The wife shall not seek unnecessary adjournments. If adjournments are unnecessarily sought, the Court may pass appropriate order compensating the respondent – husband.

7. With this, the Misc. Civil Application stands disposed of.

(KISHORE C. SANT, J.)

P.S.B.