



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

MISC. CIVIL APPLICATION NO. 93 OF 2023

Snehal W/o Rahul Naikwade

.. Applicant

Versus

Rahul S/o Trimbakrao Naikwade

.. Respondent

Mr. Yogesh C. Patil, Advocate for the Applicant.

Mr. Anant K. Shingare, Advcoate i/b Mr. K. J. Suryawanshi,
Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 09th OCTOBER, 2025.

PER COURT :-

1. Heard learned advocates for the parties.
2. This application is filed by the applicant - wife seeking transfer of the proceeding i.e. Hindu Marriage Petition No. 04/2023 from the Court of learned C.J.S.D. Beed to the Court of learned C.J.S.D., Bhoom.
3. It is the case of the applicant – wife that, there are three proceedings pending in the Court at Bhoom. One is under the Protection of Women from Domestic Violence Act filed by the wife.

One more proceeding at the instance of wife is pending in the Court at Bhoom filed under section 125 of the Code of Criminal Procedure. One R.C.C. is pending for the offence punishable under section 498-A of the Indian Penal Code at Bhoom. Son of the couple around 8-9 years of age is also studying at Bhoom. There is no one to accompany her to attend the dates in the Court at Bhoom. Therefore, the learned advocate for the applicant argues that, in the interest of justice, it is necessary to allow the application.

4. The application is vehemently opposed by the learned advocate for the respondent - husband. He submits that, earlier even the wife had filed suit at Beed which is decreed and now execution is filed in the Court at Beed. The wife is thus in a position to travel to Beed and no transfer is required.

5. Considering above rival submissions, this Court finds that, since a young son is studying in the school at Boom, it would be difficult for the applicant to travel to Beed for attending the Court proceedings. Three proceedings are already pending in the Court at Bhoom where the husband has already caused his appearance.

6. Considering above, following order :

ORDER

(I) Misc. Civil Application stands allowed in terms of prayer clause (A).

(II) After transfer of the proceeding, the applicant – wife shall not seek unnecessary adjournments. If unnecessary adjournments are sought, the Court may pass appropriate order compensating the respondent – husband if he remains personally present.

(II) After transfer of the proceeding, the learned Trial Court is expected to decide the proceedings as early as possible and preferably within one year from today.

(IV) With this, Misc. Civil Application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.