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6-MCA-81-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 MISC.CIVIL APPLICATION NO. 81 OF 2024

Muskan Azahar Shah
VERSUS
Azahar Shah Karim Shah

...

Adv. Deshmukh Balaji J. And Deshmukh L. B., Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 18th FEBRUARY 2025

PC :-

1. Heard learned Advocate for the applicant.
2. In spite of service, none appears for the respondent.
3. This application is filed by the applicant-wife for transfer of the proceeding bearing Petition A No.08 of 2023 from the Court of learned Judge, Family Court at Akola to the learned Judge, Family Court at Aurangabad.
4. It is the case of the applicant-wife that presently, she is residing with her old aged parents at Aurangabad. There is a two and half years child, who is staying with the applicant-wife. She finds it difficult to

travel from Aurangabad to Akola with a child. It is also difficult for her to attend the Court at Akola as the distance between two places is more than 250 k.m. There is no one to accompany her to attend the Court at Akola. She thus prays for transfer of the proceeding from the Court of learned Judge, Family Court at Akola to the learned Judge, Family Court at Aurangabad.

5. Considering the convenience of the applicant-wife, this Court finds that it would be in the interest of justice to allow the application. Hence, the following order:-

ORDER

- (i) Application is allowed in terms of prayer clause (A).
- (ii) After the proceeding is transferred, the learned Judge shall try to dispose of the proceeding as early as possible and preferably within eighteen (18) months from the date of transfer of the proceeding.
- (iii) The applicant-wife shall co-operate in speedy disposal of the proceedings without seeking unnecessary adjournments. If the Court finds that unnecessary adjournments are sought by the applicant-wife,

the Court shall deal with it to compensate the respondent.

(iv) With this, Application stands disposed off.

[KISHORE C. SANT, J.]