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961-MCA-102-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

961 MISC. CIVIL APPLICATION NO. 102 OF 2025

Ashwini Shravan Ekhande

VERSUS

Shravan Vasant Ekhande

...

Mr. Yogesh K. Bobade, Advocate for Applicant.

Mr. S. K. Chavan, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 3rd OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed by the applicant-wife seeking transfer of matrimonial proceeding bearing HMP No.89/2024, pending in the Court of learned Civil Judge, Senior Division, Ambad to the Court of learned Judge, Family Court at Aurangabad.
3. It is the case of the applicant wife that the other two proceedings bearing HMP No.688 of 2024 for restitution of conjugal rights and

Ethape

Petition E No. 296 of 2024 for maintenance are pending before the Family Court at Aurangabad. The respondent-husband has already appeared in the above proceedings. The learned Advocate for the applicant therefore submits that to avoid conflicting judgments and for the convenience of parties, it is necessary that both the cases are tried by the same Court.

4. Learned Advocate Mr. Chavan vehemently opposed the application.

5. However considering that already two proceedings are pending in the Court at Aurangabad and the husband has already appeared in those proceedings, this Court finds that, it would be in the interest of justice to allow the application.

6. Hence, the following order:

ORDER

(i) Misc. Civil Application stands allowed.

(ii) The proceedings of HMP No.89/2024, pending in the Court of learned Civil Judge, Senior Division, Ambad stands transferred to the Court of learned Judge, Family Court at Aurangabad.

(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) After transfer the learned Trial Judge shall try to dispose off the proceeding as early as possible and preferably within eighteen (18) months from the date of transfer.

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

(vi) The proceedings bearing HMP No.688 of 2024 and Petition E No. 296 of 2024 are kept for hearing on 17th October 2025 before

the learned Judge, Family Court at Aurangabad.

(vii) The parties shall appear in the transferred proceeding on the same date i.e. 17th October 2025, without requiring any separate notice.

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

[KISHORE C. SANT, J.]