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4-MCA-95-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 MISC.CIVIL APPLICATION NO. 95 OF 2024

Purva Prasad Raut @ Monika Yashwant Mali

VERSUS

Prasad Vilas Raut

...

Mr. Amol Sudam Mali, Advocate for Applicant.

Adv. Joslyn Anthony Menezes For R/sole.

CORAM : KISHORE C. SANT, J.

DATE : 25th FEBRUARY 2025

PC :-

1. Heard the learned Advocate for the parties.
2. This application is filed for transfer of Hindu Marriage Petition No.1490 of 2021 pending before the learned Judge, Family Court, Pune to the Court of learned Civil Judge, Senior Division, Dhule.
3. It is the case of the applicant-wife that she is presently residing with parents at Dhule. The distance between Dhule to Pune is around 400 k.m. There is no one to accompany her to travel to attend the Court at Pune. She thus prays for transfer of the proceeding from the Court of learned Judge, Family Court, Pune to the Court of learned Civil Judge,

Senior Division, Dhule.

4. The application is vehemently opposed by the learned Advocate for the respondent.

5. After hearing the learned Advocate for the applicant and on going through the application, this Court finds that it would be in the interest of justice to transfer the proceeding from the Court of learned Judge, Family Court, Pune to the Court of learned Civil Judge, Senior Division, Dhule. Hence, following order :-

ORDER

(i) The misc. civil application is allowed in terms of prayer clause (B).

(ii) After transfer of the proceeding, 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.

(iii) 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) The respondent is at liberty to request the concerned Court for appearing through video conference.

(v) With this, application stands disposed off.

[KISHORE C. SANT, J.]