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

6 MISC.CIVIL APPLICATION NO. 113 OF 2024

ALMASBEGUM MOFIQ SHAIKH

....Applicant

VERSUS

SHAIKH MOFIQ ABDUL RAHIM

.....Respondent

Mr. Shaikh Altamash Abdul Latif, Advocate for the applicant
Mr. A. S. Kulkarni, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 19th MARCH, 2025

P. C.

1. Heard the parties for sometime.
2. This application is by the wife seeking transfer of the proceeding bearing Petition RCS No. 356 of 2023 from the learned Civil Judge, Junior Division, Gangapur, Dist. Aurangabad to learned Judicial Magistrate First Class, Parli-Vajnath, Dist. Beed.

3. It is the case of the wife that distance between two cities is more than 350 km. She has also filed proceeding bearing Cri. M. A. No.499/2023 before filing the RCS No. 356/2023 which is pending at Parli-Vajnath, Dist. Beed. One child is residing with her

4. Considering that the proceeding which is sought to be transferred is for restitution of conjugal rights, in the interest of both the parties that divorce proceeding and the present proceeding are tried at the same court to avoid conflicting judgment, hence the following order.

ORDER

(i) The application stands allowed in terms of prayer clause-B.

(ii) After the proceeding is transferred, the learned trial Court shall try to dispose of the proceeding as early as possible and preferably within one year from

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the date of transfer.

(iii) The learned trial Court shall give suitable dates considering the dates given in other proceedings, if any.

(iv) The respondent is at liberty to request the concerned Court for permission to appear through video conference.

(v) The applicant shall not seek unnecessary adjournments and shall co-operate in speedy disposal of the case.

[KISHORE C. SANT, J.]

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