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965-MCA-125-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 MISC. CIVIL APPLICATION NO. 125 OF 2025

Sow Komal Vijay Kakade

VERSUS

Shri Vijay Rangnath Kakade

...

Ms. Aarti T. Gadge h/f Mr. D. M. Shinde, Advocate for Applicant.

Mr. Amit Tandulkar h/f Mr. Gajanan Kadam, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 7th OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed by the wife seeking transfer of matrimonial proceeding bearing HMP No.283/2023, from the Court of learned 12th Joint Civil Judge Senior Division, Nagpur to the Court of learned Civil Judge Senior Division, Hingoli.
3. The learned Advocate for the applicant submits that presently the applicant-wife is residing at Bhabhali Tq. Kalamnuri Dist. Hingoli with her parents. The distance between two places is around 300 k.m.. She

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find it difficult to travel to Nagpur as she is residing with her one and half year child. There is no one to accompany her to go to Nagpur. The wife has initiated two proceedings at Hingoli bearing PWDVA No.33 of 2023 under The Domestic Violence Act and RCC No.201 of 2023 under Section 498-A of the I.P.C. where the husband has already appeared. There are no direct buses available. She thus prays for allowing the application.

4. Considering above position, this Court thus finds that to avoid conflicting judgments and for the convenience of the wife, the proceedings needs to be transferred.

5. Hence, the following order:

ORDER

- (i) Misc. Civil Application stands allowed.
- (ii) The proceedings of HMP No.283/2023, from the Court of learned 12th Joint Civil Judge Senior Division, Nagpur stands transferred to the Court of learned Civil Judge Senior Division, Hingoli.
- (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) 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.

(v) After transfer, the parties shall appear in the transferred proceeding on 7th November 2025, without requiring any separate notice.

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

[KISHORE C. SANT, J.]