

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO. 129 OF 2025

Mrs Harshala Anandrao Patil

VERSUS

Mr Anandrao Gulabrao Patil

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Advocate for Applicant : Mr. Shrikant Subhash Patil

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : AUGUST 07, 2025

PER COURT :-

1. The applicant seeks transfer of Marriage Petition No. A-2130 of 2024 pending before Family Court at Pune to Civil Judge Senior Division, Chalisgaon, District Jalgaon.
2. Mr. Patil, learned advocate appearing for applicant submits that marriage between applicant and respondent was solemnized on 27.12.2016. However due to harassment and cruelty meted with applicant, she is residing separately. She has instituted proceeding bearing Misc. Criminal Application No.24/5 of 2024 before Chief Judicial Magistrate, Chalisgaon and also filed complaint against respondent/husband under Section 498-A. Accordingly, a criminal case is pending at Chalisgaon. He would submit that applicant is now residing in Nandurbar District and her parents are residing at Chalisgaon. According to Mr. Patil, the distance between Chalisgaon and Pune is almost 300 kms and distance between place of service of applicant and Pune is about 500 kms. In this

background, it would be difficult for her to attend proceeding at Pune.

3. Although notice of this application is served upon respondent, none appears.

4. Considering submissions advanced, it is apparent that there are two matrimonial proceedings pending at Chalisgaon. The applicant is presently serving in Nandurbar District, whereas, her parents are residing at Chalisgaon. Looking to the distance between aforesaid places and Pune City, it would be difficult for the applicant to attend proceeding at Pune. In view of the law laid down by the Hon'ble Supreme Court in case of *N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha reported in AIR 2022 SC 4318*, convenience of wife has to be given precedence over convenience of husband. Further, when there are multiple matrimonial proceedings between the parties, it is convenient if all such proceedings are brought at one and the same place.

6. In that view of matter, case is made out to allow the application and it is accordingly allowed in terms of prayer clause (a).

7. Parties to appear before Civil Judge Senior Division at Chalisgaon on 15.09.2025.

(S.G. CHAPALGAONKAR, J.)