



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

78 MISC.CIVIL APPLICATION NO. 135 OF 2025

SANA W/O SHADAB ALI
VERSUS
SHADAB ALI S/O MUBARAK ALI

Mr. Firoz Ahmed Shirpurkar h/f. Mr. K.M. More, Advocate for the applicant.

Mr. Abid R.Shaikh, Advocate for sole respondent.

CORAM : KISHORE C. SANT, J.

DATE : 13.10.2025

PC :-

01. At the outset, learned Advocate for the applicant seeks leave to correct address of the applicant in the title clause.

02. Leave granted. The amendment be carried out forthwith.

03. Heard learned Advocates for the parties. This application is by wife seeking transfer of proceeding bearing No. A-695 of 2024, pending in the Court of learned Judge, Family Court, Aurangabad to the Court of learned Civil Judge, Senior Division, Jalna. It is a case of the wife that she resides at Mantha which is about 120 kms from Aurangabad. There is no conveyance available to come to Aurangabad. There is no one to accompany her, as she is residing with her child aged 1 ½ years. With such small child, it is difficult for her to travel.

04. The learned Advocate for the respondent vehemently opposes this application. He submits that the distance between Jalna and

Aurangabad is hardly 60 kms. There are good facilities available for travelling to Aurangabad. He is ready to bear expenses of travelling if the wife attends the Court personally.

05. Having heard the learned Advocates for the parties, this Court finds that the wife is staying with her child of 1 ½ years, it is certainly difficult for her to travel 120 kms, as she is presently residing at Mantha.

06. Considering the above, this Court is inclined to allow this application. Hence, following order :-

- i) This Civil Application is allowed in terms of prayer clause (B).
- ii) After transfer of the proceeding, the wife shall not seek adjournments. If it is found that the adjournments are unnecessarily sought, the Trial Court shall impose costs upon the wife thereby compensating the husband, if he personally remains present in the Court.
- iii) If husband makes request for appearing through Video conference, the Trial Court shall consider said request liberally.
- iv) Since the proceeding is of 2024, the Trial Court shall decide the proceeding as early as possible and preferably within one year from the date of this Court.
- v) No fresh notice is required to the parties. Parties to appear before the Trial Court on 07.11.2025.

[KISHORE C. SANT, J.]