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8-MCA-142-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

8 MISC. CIVIL APPLICATION NO. 142 OF 2024

Manisha Nitin Bhalerao

VERSUS

Nitin Gautam Bhalerao

...

Mr. Akshay Subhash Tilve, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 18th FEBRUARY 2025

PC :-

1. Heard the learned Advocate for the applicant.
2. Inspite of service, none appears for the respondent.
3. At the outset, the learned Advocate for the applicant seeks leave to correct the prayer clause.
4. Leave granted. Necessary amendment be carried out forthwith.
5. This application is filed seeking transfer to the proceedings bearing Hindu Marriage Petition No.528 of 2023 pending before the learned Civil Judge, Senior Division, Chh. Sambhajinagar to the Court of learned Civil Judge, Senior Division, Jalna.

6. It is the case of the applicant-wife that, the applicant is presently residing at Rajur Tq. Bhokardan with her parents. There is no one to accompany her to travel to attend the Court at Chh. Sambhajinar. There are two proceedings are pending in the Court at Bhokardan i.e. one under the Domestic Violence Act and another complaint under Section 498-A of the Indian Penal Code therein charge-sheet is already filed. She thus prays for transfer of the proceeding from the Court of learned Civil Judge, Senior Division, Chh. Sambhajinagar to the Court of learned Civil Judge, Senior Division, Jalna.

7. After hearing the learned Advocate for the applicant, this Court is inclined to allow the application. The application is allowed in terms of prayer clause (B).

8. After transfer of the proceeding, the applicant-wife shall co-operate in speedy disposal of the proceedings without seeking unnecessary adjournments. If the Court finds that unnecessary adjournments are sought by the applicant-wife, the Court shall deal with it to compensate the respondent.

9. The learned Judge shall try to dispose of the proceeding as early as possible and preferably within eighteen (18) months from the date of transfer of the proceeding.

10. With this, application stands disposed off.

[KISHORE C. SANT, J.]