



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

7 MISC.CIVIL APPLICATION NO. 155 OF 2024

SHRADHA AJAY SHELKE
VERSUS
AJAY AVINASHRAO SHELKE

Mr.N.S.Jaju, Advocate for the applicant.

Ms.Sadhana Deshmukh, Advocate for the respondent (through VC).

CORAM : KISHORE C. SANT, J.
DATE : 24.03.2025

PC :-

01. Heard learned Advocates for the parties. This application is filed for transfer of matrimonial proceeding from the Family Court, Pune to the Family Court, Aurangabad.

02. It is case of the applicant-wife that she is residing at Aurangabad with her old aged mother. She already lost her father during the pendency of the matrimonial proceeding at Pune. Now, there is no one to accompany her to attend the Court at Pune. There is one proceeding already filed in the Family Court, Aurangabad for enhancement of maintenance.

03. This application is vehemently opposed by the learned Advocate for the respondent. She submits that for all these years the applicant was attending the Court at Pune. Her two brothers are residing at Pune. Only to cause inconvenience to the husband, the application is filed at Aurangabad for enhancement of maintenance amount. Because of the job constrains, the respondent-husband is not getting leave to

attend the Court. He is likely to lose job, if frequently remains absent. The respondent-husband is ready to bear the travelling expenses of the applicant-wife whenever she attends the Court at Pune.

04. Considering the above, this Court finds that the convenience of wife needs to be seen. In the present case, already one proceeding is filed at Aurangabad and that is pending. The respondent-husband has also caused appearance in the said proceeding. Considering the overall circumstances, it would be in the interest of justice to transfer the proceeding from Pune to Aurangabad. Hence, following order :-

ORDER

- (i) The application is allowed in terms of prayer clause (B).
- (ii) The applicant shall not seek adjournments unnecessarily. If the Trial Court finds that the adjournments are unnecessarily sought, the Trial Court shall pass appropriate orders compensating the respondent-husband, if he personally remains present in the Court.
- (iii) If the respondent-husband makes prayer for attending the Court proceeding through Video conference, same shall be considered liberally by the Family Court, Aurangabad.
- (iv) The Family Court, Aurangabad shall keep both the proceedings on the same day.
- (v) Considering that the proceeding of Hindu Marriage Petition is of 2017, the Family Court, Aurangabad shall dispose of the proceeding as early as possible and preferably within one year from the date of transfer.

[KISHORE C. SANT, J.]