



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 MISC.CIVIL APPLICATION NO. 180 OF 2025

ASHWINI AJINKYA KULKARNI

VERSUS

AJINKYA ARVIND KULKARNI

...
Advocate for Applicant : Mrs. Deshpande Kirti Ravindra

...
CORAM : ARUN R. PEDNEKER, J.

Dated : August 26, 2025

PER COURT :-

1. Office note shows that respondent/husband is served, but none appeared for the respondent.
2. By way of present MCA, the applicant/wife is seeking transfer of proceeding of Petition No. A860/2024 filed by the respondent/husband for **restitution** before the learned Family Court, Nashik to Family Court, Aurangabad.
3. The learned counsel for the applicant/wife submits that the wife has initiated proceedings under D.V. Act at **JMFC Aurangabad** and **Hindu Marriage Petition for divorce** at Family Court, Aurangabad and the respondent/husband is defending those proceedings. The learned counsel submits that applicant is housewife, she has no source of earning whereas the respondent is **clerk in National Highway Department** and he has initiated **restitution** proceeding at Nashik Family Court. The distance between Nashik to Aurangabad is around 180 to 190 k.m. and it would be difficult for the applicant/wife to defend the same. There are no issues born out of the marriage. The learned counsel submits that since proceedings are already initiated by the wife at Family Court Aurangabad

and the husband is defending the same, it would be more appropriate if the **restitution** proceeding filed by the respondent/husband would be transferred at Family Court at Aurangabad. The learned counsel submits that the applicant would take common date in all the proceedings so as to avoid inconvenience to the husband and will not seek unnecessary adjournment and if she wants to take adjournment, she would inform the respondent in advance.

4. Considering the submissions made above, the MCA is allowed in terms of prayer clause 'b', which is as under :-

"b) Marriage Petition No. A860/24 pending before Id. Family court Nashik be transferred to Family court Aurangabad."

(ARUN R. PEDNEKER, J.)

ssc/