



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

37 MISC.CIVIL APPLICATION NO. 197 OF 2025

MADHURI SIDDHESH VAIRAGI

VERSUS

SIDDHESH SANJIVAN VAIRAGI

Mr. S.S. Dixit, Advocate for the applicant.
None for the respondent.

CORAM : KISHORE C. SANT, J.
DATE : 13.11.2025

PC :-

01. Heard learned Advocate for the applicant. None for the respondent.

02. This application is filed seeking transfer of petition bearing A No. 294 of 2024 filed by the respondent-husband in the Court of learned Judge, Family Court, Belapur to the Court of learned Civil Judge, Senior Division, Sangamner. It is case of the wife that she has already filed proceeding under the Protection of Women from Domestic Violence Act and under section 125 of the Cr.P.C. in the Court at Sangamner. One FIR is also filed for the offences punishable under section 498-A of the IPC and other sections against husband and in-laws, wherein the respondent-husband has appeared. In addition to that he submits that the wife has already filed proceeding under section 9 of the Hindu Marriage Act in the Court of Sangamner bearing HMP No. 73 of 2021. The husband has filed proceeding for divorce in the year 2024. He submits that to avoid conflicting decisions it is desirable that the petition under section 9 of

the Hindu Marriage Act and petition for divorce are tried and decided by the same Court.

03. Considering the above, this Court finds that it is necessary to avoid conflicting decisions. The proceeding filed by wife is earlier in point of time. For this reason, it is desirable to transfer the petition instituted by husband filed at Belapur. Considering the same, this Court is inclined to pass following order :-

ORDER

- (i) This application is allowed in terms of prayer clause (A).
- (ii) After transfer of the proceeding, the wife shall not seek unnecessary adjournments. If it is found that the adjournments are unnecessarily sought by the wife, 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 to the Trial Court to appear through video conference, same shall be considered by the Trial Court liberally.

[KISHORE C. SANT, J.]