



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

MISC.CIVIL APPLICATION NO. 159 OF 2023

**SHILPA W/O TUSHAR VIDHATE @ SHILPA D/O
HANUMATRAO WADJE**

VERSUS

TUSHAR S/O ACCHUTRAO VIDHATE

...

Mr. Upendra Bapurao Bilolikar, Advocate for Applicant.

Mr. A. D. Wange, Advocate for Respondent.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 01st JULY, 2025.

P.C.:-

1. By this application, applicant/wife seeks transfer of Hindu Marriage Petition No.A/53/2023 pending before Family Court at Beed to Civil Judge Senior Division at Mukhed, District Nanded.
2. The learned Advocate appearing for respondent submits that respondent is suffering from Orthopedic problem. He was operated for Chronic PID L4-L5 with Radiculopathy on 22.09.2023 and still he is under medical supervision at Renu Hospital at Beed.
3. The certificate dated 14.07.2023 issued by Dr. Suresh Munde is relied, wherein he states that respondent is advised to avoid traveling and take bed rest. It can be observed that distance between Mukhed to Beed is about 220 kilometers. It would be difficult for applicant/wife to travel alone and attend proceeding before Family Court at Beed. On the other hand, respondent, who is legal practitioner can travel to Mukhed, if proceeding is

transferred. The ground of illness although supported by certificated of Doctor, it is difficult to hold that respondent cannot undertake traveling at all. Even in given situation respondent can avail facility of video conferencing.

4. In this circumstances, considering law that wife's convenience is to be given precedence in the matter of transfer of matrimonial proceeding, this Court deems it appropriate to allow transfer of proceeding as prayed.

5. Hence, application is allowed in terms of prayer Clause (B).

6. Parties to appear before Civil Judge Senior Division, Mukhed on 11.08.2025.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/July-2025