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

1000 MISC.CIVIL APPLICATION NO. 200 OF 2025

MANOHAR SUDAM BADGUJAR

VERSUS

POOJA MANOHAR BADGUJAR

Mr.R.S. Kadam, Advocate for the applicant (through VC).

CORAM : KISHORE C. SANT, J.

DATE : 30.09.2025

PC :-

01. Heard learned Advocate for the applicant. None for the respondent inspite of service of notice.

02. This application is filed by the husband seeking transfer of the proceeding. It is case of the husband that in the proceeding filed earlier by the husband at Kalyan, wife prayed for transfer. This Court by order dated 25.03.2025 allowed the said application and transferred the proceeding from the Court at Kalyan to the Court at Dhule. He submits that the wife, however, did not disclose the fact that she has also filed Hindu Marriage Petition under section 9 of the Hindu Marriage Act, in the Court at Dhule and by suppressing the fact only proceeding at Kalyan is transferred to the Court at Dhule. He thus submits that to avoid conflicting decisions, one in divorce proceeding and one in the restitution of conjugal rights proceeding, it is desirable to have both the proceeding before one and same Court.

03. In spite of service, none appears for the respondent. It can

be gathered that the respondent wife has no objection for transfer of proceeding sought to be transferred by way of this application.

04. Learned Advocate for the applicant also submits that the respondent wife has filed two more proceedings for maintenance one under the Protection of Women from Domestic Violence Act and another under the BNSS. This Court finds that the applicant has to file separate application for transfer of those proceeding on criminal side. Therefore, presently prayer clause (A) is considered by this Court. It is open for the applicant to file separate proceeding for transfer of those proceedings under the DV Act and BNSS.

05. Hence, this application is allowed in terms of prayer clause (A) and disposed off.

[KISHORE C. SANT, J.]