



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

949 MISC.CIVIL APPLICATION NO. 220 OF 2024

BHAGYASHREE W/O VISHNU PATIL (DHAKANE)

VERSUS

VISHNU S/O SARJERAO PATIL (DHAKANE)

Mr. A.D. Choure h/f. Mr. M.S. Karad, Advocate for the applicant.
Mr. V.B. Deshmukh, Advocate for the respondent.

CORAM : KISHORE C. SANT, J.
DATE : 08.10.2025

PC :-

01. Heard learned Advocates for the parties.

02. The applicant – wife has approached this Court seeking transfer of proceeding bearing HMP No. 46 of 2022 pending in the Court of learned Civil Judge, Senior Division, Barshi to the Court of learned Civil Judge, Senior Division, Kallamb. Two proceedings filed at the instance of wife are already going on in the Court at Kallamb. One case is under section 498-A of the Indian Penal Code; whereas other case is filed under the provisions of the Protection of Women from Domestic Violence Act. The learned Advocate for the applicant thus prays for allowing the application.

03. Learned Advocate for the respondent opposes this application. He submits that already an order is passed on the application filed by wife in the proceedings sought to be transferred. The Court has directed vide order 03.12.2022 to pay interim alimony of Rs.

500/- to the wife on the date when she attends the Court. He submits that in view of this there is no need to pass any order in respect of transfer of the proceedings.

04. Considering that two proceedings are already filed at Kallamb and the husband has already appeared in the proceeding, it would be in the interest of justice to allow this application. Hence, following order.

- i) This Misc. Civil Application is allowed in terms of prayer clause (B).
- ii) The applicant-wife shall not seek unnecessary adjournments. If the Trial Court finds that the applicant-wife has sought unnecessary adjournments, the Trial Court may impose costs upon the applicant-wife, compensating the husband, if he personally remains present in the Court.
- iii) If the respondent-husband makes request for appearing through video conference, same shall be considered by the Trial Court liberally.
- iv) The Trial Court is expected to dispose off the same as early as possible and preferably within one year from today.
- v) It is made clear that now onwards the respondent need not pay amount of Rs. 500/- the the proceeding is transferred to Kallamb.

[KISHORE C. SANT, J.]