



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

MISC.CIVIL APPLICATION NO. 180 OF 2024

**SULOCHANA W/O MAHESH JADHAV
VERSUS
MAHESH BALASO JADHAV**

...
Mr. Shamsunder B. Patil, Advocate for Applicant.
...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 11th JULY, 2025.**

P.C.:-

1. Leave to correct.
2. Heard learned Advocate appearing for applicant.
3. By this application, applicant seeks transfer of Hindu Marriage Petition No.221/2023 pending before Civil Judge, Senior Division, Vita, Dist. Sangli to Civil Judge, Senior Division, Kandhar, Dist. Nanded.
4. Mr. Patil, learned Advocate appearing for applicant submits that marriage between applicant and respondent took place on 27.11.2020. However, dispute started between them. Due to ill-treatment given by husband, applicant was forced to leave her matrimonial house and she is residing with her parents at Malkapur, Taluka Loha, District Nanded since June-2022. The applicant has instituted PWDVA No.34/2023 before Judicial Magistrate First Class at Loha for grant of maintenance and other

reliefs. The respondent-husband instituted Hindu Marriage Petition No.221/2023 before Civil Judge, Senior Division at Vita seeking decree of dissolution of marriage under Section 13(1)(ia) of Hindu Marriage Act.

5. Mr. Patil submits that it is difficult for applicant to attend proceeding at Vita, which is almost 300 kilometers from her place of residence. There is no other person in family to accompany her for attending proceeding or undertaking journey. She would, therefore, urge that proceeding filed by respondent-husband be transferred to Civil Judge, Senior Division, Kandhar, Dist. Nanded.

6. In spite of service of notice of this application, none appears for respondent.

7. In that view of the matter, considering submissions advanced, apparently applicant is residing with her parents at the distance of 300 kilometers from Vita, where respondent-husband has instituted proceeding for dissolution of marriage. There is substance in contention of Mr. Patil that applicant would have difficulty to attend proceeding or undertaking journey of 300 kilometers without company. Already proceeding is pending before Court of Judicial Magistrate First Class at Loha. The respondent-

husband can attend both proceeding, if divorce proceeding is transferred.

8. As observed by Supreme Court of India in case of *N.C.V. Aishwarya Vs. A. S. Saravana Karthik Sha*¹, it is trite that convenience of wife has to be given precedence in case of transfer of matrimonial disputes. Further when proceeding instituted by wife is pending at Loha since 2023, it is convenient for parties, if both proceedings are taken up at one and the same place. In result, case is made out to allow application. It is accordingly allowed in terms of prayer Clause (B).

9. Parties to appear before Civil Judge, Senior Division at Kandhar, District Nanded on 21.08.2025.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/July-2025

¹ AIR 2022 SC 4318.