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913 -MCA-277-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 MISC.CIVIL APPLICATION NO. 277 OF 2024

Pratima Sagar Ghangale

VERSUS

Sagar Sitaram Ghangale

...

Mr. Parag Vijay Barde, Advocate for Applicant.

Mr. Hanmant V. Patil, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 31st JANUARY 2025

PC :-

1. Heard the learned Advocate for the parties.
2. This application is filed for transfer of the Hindu Marriage Petition No.169 of 2024 pending in the Court of learned Civil Judge, Senior Division, Khed-Rajgurunagar Dist.Pune to the Court of learned Civil Judge, Senior Division, Sangamner Dist. Ahmednagar.
3. The learned Advocate for the applicant submits that there are already three proceedings which are filed by the wife in the Court at Sangamner i.e. case under Sections 498-A, 323, 504 read with 34 of the Indian Penal Code and another proceeding under the Domestic Violence

Act and third proceeding is under Section 125 of the Cr.PC. for maintenance. It is submitted that, presently the applicant-wife is residing with her old aged parents. There is no one to accompany her to attend the proceeding at Khed-Rajgurunagar. As the respondent-husband has already appeared in three cases at Sangamner, it would be convenient for both the parties, if the proceeding is transferred to the Court of learned Civil Judge, Senior Division, Sangamner.

4. Learned Advocate for the Respondent-husband vehemently opposes the application. He submits that the respondent-husband is ready to bear the expenses whenever the applicant-wife attends the Court at Khed-Rajgurunagar. There is no extra-ordinary case made out to transfer the proceeding. He thus prays for rejection of the application.

5. After hearing the parties, this Court finds that since the wife is staying at Sangamner, it would be in the interest of justice to transfer the proceeding at the place where she resides.

6. In view of the same, application stands allowed in terms of prayer clause (B).

7. The learned trial Judge, Sangamner after transfer of the

proceeding to give suitable dates considering the dates given in two other proceedings.

8. The applicant shall not seek any unnecessary adjournments. If any, adjournments sought unnecessarily, the court may pass appropriate orders compensating the respondent-husband on the date on which he attends the Court.

9. The proceeding be decided as early as possible and preferably within one year from the date of transfer of the proceedings.

10. With this, application stands disposed off.

[KISHORE C. SANT, J.]