



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

952 MISC.CIVIL APPLICATION NO. 241 OF 2025

POOJA HEMANT NAWALE
VERSUS
HEMANT MADHUKAR NAWALE

Mr. A.T. Kanwade, Advocate for the applicant.
Mr. V.Y. Bhide, Advocate for sole respondent.

CORAM : KISHORE C. SANT, J.
DATE : 07.11.2025

PC :-

01. Heard for some time. This application is filed by wife seeking transfer of HMP No. 186 of 2025, filed by the respondent-husband and presently pending in the Court of learned Civil Judge, Senior Division, Sangamner to the Court of learned Judge, Family Court, Nashik.

02. It is case of the wife that she resides at Nashik with her parents. Her son of four years age also resides with her. She finds it difficult to travel to Sangamner for attending the dates.

03. Learned Advocate Mr. Bhide vehemently opposes this application. He relies upon an order passed by this Court at Principal Seat at Mumbai in Misc. Civil Application No. 124 o 2024 and other connected applications. This Court by considering various Supreme Court judgments has held that merely for asking for transfer at the instance of wife, proceeding need not be transferred. In that case the transfer was sought from the Family Court, Bandra to the Court at Kalyan, where distance is approx. 50 kms. It was possible for the wife to

travel to and fro in a day without making separate arrangement for stay. Expenses were directed to be paid to wife by the husband. The learned Advocate for the respondent submits that the husband is working at Airoli and in any case he is required to travel to Sangamner. It would be convenient for him if the matter is transferred to Nashik as there is good frequency of buses and other communication.

04. This Court finds that in the present case the distance between the place of the applicant and Sangamner is hardly 65 kms. Sangamner city is situated on Nashik – Pune highway, where there is high volume of traffic and convenience of transport facility. It is not difficult for the wife to travel such distance to and fro in a day. Even the child of four years can be taken by her with her or even he can be stayed with grand-parents. This Court thus finds that no case is made out to allow this application. While considering transfer of matter, this Court has to consider the ground on which transfer is sought by the husband.

05. This application, therefore, stands rejected. However, the husband shall pay Rs. 2000/- (Rupees Two Thousand) to the wife on the date when she appears in the Trial Court personally. If the wife makes request for appearing through video conference, the Trial Court shall consider the same liberally.

06. This order shall not come in the way if the applicant files application for interim alimony and expenses.

[KISHORE C. SANT, J.]