



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

MISC.CIVIL APPLICATION NO. 225 OF 2023

SOU ROHINI W/O SANJAY DHAVAN

VERSUS

SANJAY S/O RAMESH DHAVAN

...

Mr. Sudheer Ramdas Zambare, Advocate for Applicant.

Mr. Mayur B. Borse h/f Ms. Kanchan D. Naiknaware Advocate for Respondent.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 01st JULY, 2025.

P.C.:-

1. By this application, applicant-wife seeks transfer of Hindu Marriage Petition No.A/120/2023 pending before Family Court at Dhule to Civil Judge Senior Division, Bhusawal, District Jalgaon.

2. The learned Advocate appearing for applicant submits that applicant is residing at village Khiroda, Taluka Raver, District Jalgaon alongwith her parents. She had instituted proceeding i.e. PWDVA No.31/2023 before Judicial Magistrate First Class at Raver, District Jalgaon under Section 12 of the Protection of Women from Domestic Violence Act, 2005. Immediately after institution of said proceeding, respondent-husband filed divorce proceeding vide Hindu Marriage Petition No.A/120/2023 before Family Court at Dhule. He points out that applicant has school going child aged about 9 years. It is difficult for her to travel such a long distance to attend proceeding filed by husband. She,

therefore, seeks transfer of divorce proceeding to Civil Judge Senior Division at Bhusawal.

3. The learned Advocate appearing for respondent, however, opposes application contending that husband is ready to bear expenses of transportation and there is no difficulty for wife to attend proceeding before Family Court at Dhule.

4. Considering submissions advanced, it can be observed that applicant is lady having child with her. Already one proceeding is pending before Judicial Magistrate First Class at Raver and husband is attending the same. If divorce proceeding filed by husband before Family Court at Dhule is transferred to Civil Judge Senior Division at Bhusawal no prejudice would be caused to husband. It would be convenient for wife to attend the proceedings. It is trite that, convenience of wife has to be given precedence over convenience of husband. Looking to the fact of present case, this Court deems it appropriate to allow application. Hence, application is allowed in terms of prayer Clause (A).

5. Parties to appear before Civil Judge Senior Division, Bhusawal, District Jalgaon on 11.08.2025.

(S. G. CHAPALGAONKAR)
JUDGE