



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3209 OF 2025

ADHIRAJ AMIT CHAVAN THROUGH U/G AMRUTA AMIT
CHAVAN

VERSUS

AMIT KAMALAKAR CHAVAN

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Ms.Reddy Ranjana D., Advocate for the Applicant.

Ms. Deepali S. Patil (appointed), Advocate for the Respondent.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 19 December 2025

P. C. :-

1. The petitioner/ wife is praying for issuance of direction to transfer the proceedings bearing Nos.E.R.No.124/2023 and 123/2024 from the Family Court at Aurangabad to the Family Court at Nanded. The said proceedings are initiated for recovery of maintenance amount of Rs.13,65,000/- and Rs.1,80,000/-, respectively, from the respondent/ husband.

2. Since nobody was appearing on behalf of the respondent/ husband, therefore, this Court vide order dated 21.11.2025 has appointed the learned advocate Ms.Deepali Patil.

3. The petitioner/wife has filed the proceedings under Section 125 of the Code of Criminal Procedure and the Family Court has granted maintenance at the rate of Rs.15,000/- per month to her son. In pursuance of the said order, the petitioner has filed the above noted execution proceedings before the Family Court at Aurangabad.

4. According to the petitioner, the Court at Aurangabad is insisting for her attendance on every date. She is residing at Nanded and it is difficult for her to attend each and every date at Aurangabad.

5. The learned advocate for the respondent opposed the request for transfer of the proceedings by placing reliance upon the order of the Hon'ble Supreme Court dated 16.08.2022 passed in Transfer Petition (CRL) Nos.131-133 of 2019 (***Navneet Wadhwa vs. Simran Wadhwa and another***).

6. After hearing the learned advocates for the respective parties for some time, it is revealed that the respondent/ husband is also not staying at Aurangabad and he is staying at Pune. Even if the proceedings are transferred to the Family Court at Nanded, in that eventuality, it would be also

difficult for the husband to attend the same. Apart from this, since the order granting maintenance is required to be complied with and the said amount is to be paid by the respondent/ husband, this Court is not in favour to transfer the said proceedings to the Court at Nanded.

7. However, since the statement is made at the Bar by the petitioner that if the video conferencing facility is made available, the petitioner would attend the proceedings through video conferencing, therefore, her personal appearance may not be insisted.

8. In view of the above, it would be appropriate for the concerned Court at Aurangabad to not insist for personal appearance of the petitioner/ wife. If the petitioner's attendance is required, her presence be secured through the video conferencing. The petitioner is permitted to apply for availing video conferencing facility at the concerned Courts at Nanded and Aurangabad. If such request is made, the concerned Courts are directed to make the video conferencing facility available to the petitioner.

9. The Criminal Application is disposed of in the above

terms.

10. Since the learned advocate Ms.Deepali S. Patil is appointed to represent the respondent/ husband, her fees shall be quantified and paid to her by the High Court Legal Aid Services Sub Committee, Bench at Aurangabad, in accordance with law.

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(SUSHIL M. GHODESWAR, J.)