



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

MISC. CIVIL APPLICATION NO. 124 OF 2024

Pukhraj S/o Sahebrao Jadhav

.. Applicant

Versus

Savita W/o Pukhraj Jadhav

.. Respondent

Mr. Rajendra H. Wagh, Advocate for the Applicant.

Mr. A. R. Syed, Advocate h/f Mr. Sushil P. Pandit, Advocate
for Respondent.

WITH

MISC. CIVIL APPLICATION NO. 244 OF 2023

Savita W/o Pukhraj Jadhav

.. Applicant

Versus

Pukhraj S/o Sahebrao Jadhav

.. Respondent

Mr. A. R. Syed, Advocate h/f Mr. Sushil P. Pandit, Advocate for the
Applicant.

Mr. Rajendra H. Wagh, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 09th OCTOBER, 2025.

PER COURT :-

1. Heard learned advocates for the parties.
2. Both these applications are filed for transfer of the

proceedings filed by each other. Misc. Civil Application No. 124/2024 is by the husband seeking transfer of the proceedings i.e. H.M.P No. 262/2022 pending in the Court of learned C.J.S.D., Dhule, so also H.M.P No. 34/2023 pending in the Court of learned C.J.S.D., Shahada to the Court of learned C.J.S.D. Nandurbar. Misc. Civil Application No. 244/2023 is filed by the wife seeking transfer of H.M.P No. 262/2022 from the Court of learned C.J.S.D., Dhule to the Court of learned C.J.S.D., Shahada. The proceeding of H.M.P No. 262/2022 is for divorce and proceeding in the Court at Shahada is for restitution of conjugal rights. To avoid conflicting judgments, it is always in the interest of justice that, both the proceedings are decided by the same Court. Considering that wife is residing at Kusumwada, Taluka Shahada, District Nandurbar, it is her convenience that needs to be seen.

3. Though it is objected by the husband as he wants to both the proceedings transferred to the Court at Nandurbar, this Court does not find any propriety to transfer the cases to Nandurbar where no party is residing and where no cause of action has arisen to file any of the proceedings. This Court is not inclined to accept the

proposal of the husband.

4. Considering above, following order :

ORDER

(I) Misc. Civil Application No. 124/2024 stands dismissed.

(II) Misc. Civil Application No. 244/2023 stands allowed in terms of prayer clause (C).

(III) After transfer of the proceeding, both the proceedings be tried together.

(IV) Since the proceedings are pending from 2022-2023, this Court expects the learned Trial Judge to decide the proceedings as early as possible and preferably within eighteen months from today.

(V) After transfer of the proceeding, the parties shall not seek any unnecessary adjournments. Parties seeking unnecessary adjournments shall compensate other side.

(VI) With this, Misc. Civil Applications stand disposed of.

(KISHORE C. SANT, J.)

P.S.B.