



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

72 MISC.CIVIL APPLICATION NO. 272 OF 2024

Vaishali W/o Ravindra Sutar

VERSUS

Ravindra S/o Devidas Sutar

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Advocate for Applicant : Mr. Nagesh Dalave h/f D.A. Madake

CORAM : S. G. CHAPALGAONKAR, J.

Dated : July 29, 2025

ORDER :-

1. Heard learned advocate appearing for the applicant.
2. Although, notice of this application is served, none appears for the respondent.
3. The applicant seeks transfer of HMP No.96 of 2024 pending before the Family Court, Parbhani to Family Court, at Jalgaon.
4. Learned counsel appearing for applicant submits that marriage between the applicant and respondent was solemnized on 13.12.2018. Due to ill-treatment meted to the applicant, she was forced to leave matrimonial home and now she is residing alongwith her parents, at Jalgaon. He submits that the applicant had lodged FIR dated 23.1.2023 against the respondent and his family members and accordingly RCC No.330 of 2023 is pending before J.M.F.C., Jalgaon. Similarly,

applicant has filed PWDVA 48 of 2023 before the J.M.F.C., Jalgaon.

5. Respondent has filed H.M.P No.96 of 2024 which is pending before Family Court, Parbhani. According to learned counsel, distance between Parbhani to Jalgaon is 290 kilometers and applicant would be facing difficulties in attending the proceeding instituted by husband at Parbhani. He would therefore urge that application be allowed and proceeding be transferred to Family Court at Jalgaon.

6. Having considered the submissions advanced, it can be observed the applicant is residing at Jalgaon alongwith her parents. She has already instituted two proceedings vide RCC No.330 of 2023 and PWDVA No.48 of 2023 before the J.M.F.C. at Jalgaon. The respondent/husband has filed H.M.P No.96 of 2024 seeking decree of dissolution of marriage at Family Court, Parbhani. Looking to distance between Parbhani to Jalgaon, applicant would face difficulty. Since two proceedings are already pending at Jalgaon, the respondent husband can attend all the three proceedings without any difficulty, if the proceeding pending before the Family Court at Parbhani is transferred to Jalgaon.

7. The Supreme Court of India in case of **N.C.V Aishwarya Vs. A. S. Saravana Karthik Sha** reported in AIR 2022 SC 4318, observed that convenience of wife will have to be given precedence in case of transfer of matrimonial disputes over convenience of husband. Further, in view of the multiple

proceedings pending between same parties, it is convenient if all the proceedings are taken at one and the same place. In the result, case is made out to allow this Misc. Civil Application.

8. Hence, Misc. Civil Application is **allowed** in terms of prayer clause 'A'. Parties to appear before the Family Court at Jalgaon on **2.9.2025.** Misc. Civil Application stands **disposed off.**

(S. G. CHAPALGAONKAR)
Judge

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