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11-MCA-278-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

11 MISC.CIVIL APPLICATION NO. 278 OF 2024

Komal Sunil Nandurkar @ Komal Kamlakar Joshi And Another

VERSUS

Sunil Ranganathrao Nandurkar

...

Mr. Shantanu Anil Deshpande, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 6th FEBRUARY 2025

PC :-

1. Heard the learned Advocate for the petitioner.
2. By way of application, the proceeding of HMP No. 113 of 2023 is sought to be transferred from the Court of learned Civil Judge, Senior Division, Majalgaon to the learned Civil Judge, Senior Division, Parbhani. The petition is filed by the husband under Section 9 of the Hindu Marriage Act.
3. It is the case of the applicant that initially she filed a proceeding under the Domestic Violence Act at Parbhani in the year 2021. It is thereafter, the respondent-husband has filed proceeding under Section 9

of the Hindu Marriage Act. There is a daughter of seven years of age, who stays with the wife. The husband is also working at Pune, who still has filed proceeding in the Court at Majalgaon. Though in the Domestic Violence Act various proceedings there are directions to the husband, he is not paying amount to the wife and it would be difficult to her to attend the Court at Majalgaon.

4. In view of the submissions of the learned Advocate for the applicant that it would be in the interest of justice to allow the application. The application therefore stands allowed in terms of prayer clause (B).

5. After the proceeding is transferred, the applicant-wife shall co-operate in speedy disposal of the proceedings without seeking unnecessary adjournments. If the Court finds that unnecessary adjournments are sought by the applicant-wife, the Court shall deal with it to compensate the respondent.

6. The learned Judge shall try to dispose of the proceeding as early as possible and preferably within eighteen (18) months from the date of transfer of the proceeding.

7. With this, application stands disposed of.

[KISHORE C. SANT, J.]