



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

11 MISC.CIVIL APPLICATION NO. 233 OF 2019

DURGA NARSING DEWARWAD AND OTHER
VERSUS
NARSING MANOHAR DEWARWAD

Mr.O.B. Boinwad, Advocate for the applicants.

CORAM : KISHORE C. SANT, J.
DATE : 10.02.2025

PC :-

01. Heard. This application is for transfer of matrimonial proceeding pending in the Family Court, Nagpur to the Court of CJSD, Bhokar, Dist. Nanded. It is case of the applicant-wife that the husband has filed proceeding in the Family Court, Nagpur bearing Petition No. A-977 of 2018, seeking divorce. The distance between the two places is about 400 kms. The wife stays with two daughters, namely, Samruddhi aged 5 years and Saishree aged 3 years. It is difficult for her to attend the proceedings at Nagpur, as there is no one to accompany her. There are already two proceedings pending at Bhokar.

02. The respondent-husband has filed affidavit and opposed the application. The affidavit is sent through post. It is his case that the petition is filed in the Court having jurisdiction. It is the nature of the

applicant which made the husband to file the divorce proceeding. There were constant threats given by the wife. She always used to misbehave with the husband. On some occasions, she tried to commit suicide. Considering the same, it is prayed that it would not be in the interest of justice to transfer the proceeding.

03. Considering the above, this Court is inclined to allow the application. Hence, following order :-

ORDER

- i) The application is allowed in terms of prayer clause (B).
- ii) After transfer of the proceedings, the Trial Court is expected to decide the proceedings as early as possible and preferably within one year from the date of order.
- iii) The applicant-wife shall not seek unnecessary adjournments. If the Trial Court finds that the adjournments are unnecessarily sought by the applicant-wife, the Trial Court shall pass appropriate orders compensating respondent-husband, if he remains present in the Court personally.

[KISHORE C. SANT, J.]