



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

15 MISC.CIVIL APPLICATION NO. 297 OF 2024

**SAU. RAJSHREE KAPIL THAKAR @ RAJSHREE DO SUNIL
SASE**

VERSUS

KAPIL DILIP THAKAR

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Advocate for Applicant : Mr. R. S. Kasar

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CORAM : KISHORE C. SANT, J.

Dated : February 07, 2025

PER COURT :-

1. Heard.
2. This application is for transfer of HMP No. 87 of 2023 pending in the Court of learned Civil Judge, Senior Division, Kopergaon to the learned Family Court at Ahmednagar, Dist. Ahmednagar.
3. It is submitted that there is one proceeding pending in the Family Court at Ahmednagar filed by applicant-wife for restitution of conjugal rights under Section 9 of Hindu Marriage Act. There is another proceeding pending before the learned Judicial Magistrate First Class, Ahmednagar under the provisions of Protection

of Women from Domestic Violence Act, 2005.

4. Thus, it would be in the interest of justice to transfer the petition to the Family Court at Ahmednagar to avoid inconvenience to the applicant-wife.

5. 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 "A".

ii. The proceedings of HMP No. 87 of 2023 pending in the Court of learned Civil Judge Senior Division, Kopergaon shall be transferred to the learned Family Court at Ahmednagar, Dist. Ahmednagar.

iii. After transfer, the learned Trial Judge shall try to dispose of the proceedings as early as possible and preferably within 18 months from the date of transfer.

iv. The parties to co-operate in early disposal without seeking unnecessary adjournment.

v. If the applicant-wife is found seeking unnecessary adjournment, the learned Trial Court may pass

appropriate orders compensating the respondent-husband when he personally attends the Court.

vi. The application stands disposed of in terms of prayer clause “A”.

(KISHORE C. SANT, J.)

PRW