



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

16 MISC.CIVIL APPLICATION NO. 298 OF 2024

PRIYANKA W/O SAGAR ADHAV

VERSUS

SAGAR S/O SAHEBRAO ADHAV

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Advocate for Applicant : Mr. N. N. Bhagwat

Advocate for Respondent : Adv. B. T. Bodhil h/f. Adv. S. B.
Solanke

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CORAM : KISHORE C. SANT, J.

Dated : February 07, 2025

PER COURT :-

1. Heard the parties.
2. Learned Advocate for petitioner seeks leave to correct prayer clause by giving correct number of proceeding.
3. Leave granted. Amendment be carried out forthwith.
4. This application is for transfer of proceedings of Marriage Petition No. 3769 of 2022 pending in the Family Court, Bandra at Mumbai to the Court of learned Civil Judge, Senior Division, Ambajogai, Dist. Beed.

5. It is submitted that the distance between two places is more than 500 kms. There are three proceedings already filed by the applicant-wife, which are pending in the Court of learned Civil Judge Senior Division, Ambajogai, Dist. Beed. The respondent-husband has already appeared in those three proceedings. There is no one to accompany her to travel to Bandra, as the applicant-wife is staying with her old aged parents at Ambajogai. Thus, she prays for transfer of the proceedings.

6. The learned Advocate for the respondent vehemently opposed the application. He submits that now the proceeding is at final stage. In spite of several chances, the applicant-wife did not appear and the Court has proceeded *ex-parte* against the applicant-wife. He thus prayed that it is only to protract the proceedings, this application is filed.

7. Having considered the above submissions, this Court finds substance in the arguments of learned Advocate for the applicant-wife that because of poor financial condition, she did not attend the Court at Bandra. It is for

this reason, the proceeding proceeded *ex-parte*. Hence following order :

ORDER

- i. The application is allowed in terms of prayer clause “B”.
- ii. After transfer of the proceedings, the applicant-wife shall not seek unnecessary adjournments.
- iii. If the Court finds that unnecessary adjournments are sought by applicant-wife, the Court may pass appropriate order compensating the respondent-husband, if he personally remains present.
- iv. Considering that, the proceedings is of year 2022 the Trial Court is expected to dispose of proceedings as early as possible and preferably within one year from the date of such transfer.
- v. The application stands disposed off.

(KISHORE C. SANT, J.)