



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

51 MISC.CIVIL APPLICATION NO. 311 OF 2024

SHIVANI AKASH RAJPUT
VERSUS
AKASH KALUSINGH RAJPUT

Mr. Y.R. Shinde, Advocate for the applicant.
Mr. S.D. Hiwrekar, Advocate for the sole respondent.

CORAM : KISHORE C. SANT, J.
DATE : 03.12.2025

PC :-

01. Heard learned Advocates for the parties.

02. This application is filed by wife seeking transfer of matrimonial proceeding pending in the Court of learned Judge, Family Court, Aurangabad to the Court of learned Judge, Family Court, Jalgaon. It is seen that the proceedings under section 9 of the Hindu Marriage Act is filed by the wife herself in the Court at Aurangabad, seeking restitution of conjugal rights. Later-on, she shifted to Jalgaon. One more proceeding was filed by husband seeking judicial separation in the Family Court at Aurangabad. However, subsequently it came to be withdrawn and now the husband has filed proceeding for divorce bearing Petition No. A-514/2023. It is case of the wife that she is residing at Khedi, Dist. Jalgaon, at a distance of 160 kms from Aurangabad. Further apprehension is expressed that she would be assaulted, if she comes to Aurangabad, by citing certain FIRs. It is, therefore, prayed that the proceeding be transferred to the Court at Jalgaon.

03. This application is vehemently opposed by learned Advocate for the respondent. It is submitted that proceeding bearing Petition No. A-176/2023 is filed by wife herself and now she wants the same to be transferred to Jalgaon, only to harass the husband. There is no apprehension as expressed by her. Even the husband is required to file FIR against the wife alleging certain offences. He, thus, submits that there are allegations against each other. The husband is ready to bear expenses of wife, if she has to attend the Court at Aurangabad along with a companion.

04. This Court finds that the distance between Jalgaon to Aurangabad is approx. 160 kms. Wife can appear through video conferencing. Said facility is available at both the places. If she is required to physically come to Aurangabad, the husband shall pay her an amount of Rs. 3000/- (Rupees Three Thousand) on each date towards fare and expenses of two persons. The husband shall not seek adjournment in the proceeding. If the husband seeks any unnecessary adjournment, he should pay double the amount of expenses on such date, if the wife remains personally present in the Court.

05. With the above observations, this Misc. Civil Application stands disposed off with no order as to costs.

[KISHORE C. SANT, J.]