



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

MISC. CIVIL APPLICATION NO. 301 OF 2024

Sau. Jayashree Vinod Desai

Age : 31 years, Occu. : Nil

R/o. C/o. Bhimrao Chavdas Patil, At-Mamurabad,

Tal. And Dist. Jalgaon.

.. Applicant

Versus

Vinod Balkrishna Desai

Age : 32 years, Occu. : Service

R/o. Zodage, Tal. Malegaon, Dist. Nashik

.. Respondent

Mr. M. M. Bhokarikar, Advocate for the Applicant (Through V.C.).

CORAM : KISHORE C. SANT, J.

DATED : 14th JANUARY, 2025.

P. C. :-

. Heard.

2. In spite of service, none appears for respondent.

3. This application is filed for transfer of the proceedings of H.M.P No. 648/2023 pending before the learned Civil Judge Senior Division, Malegaon to the learned Family Court at Jalgaon. The application is filed in the following facts that, the wife has already filed two proceedings at Jalgaon bearing Regular Criminal Case No. 635/2022 in the Court of learned J.M.F.C., Jalgaon and Petition No. E-18/2023 in

the learned Family Court at Jalgaon for maintenance under Section 125 of the Code of Criminal Procedure. The husband has to attend both the proceedings. Only to harass the applicant he has filed H.M.P in the Court at Malegaon.

4. It is the case of the applicant that, she is having a four years daughter. There is no one to accompany her to attend the Court at Malegaon. A prayer is therefore made for transfer of the H.M.P

5. Considering the above, this Court finds that, the application needs to be allowed. The misc. civil application is therefore allowed in terms of prayer clause (B). Needless to say that, after transfer of the proceedings, the applicant shall not seek unnecessary adjournments and shall co-operate the Court in speedy disposal of the proceedings.

6. The misc. civil application is disposed of.

(KISHORE C. SANT, J.)

PS.B.