



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

MISC.CIVIL APPLICATION NO. 300 OF 2024

SAU. GAURI W/O DIPAK PANDULE

VERSUS

DIPAK S/O KASHINATH PANDULE

...

Mr. Sudheer Ramdas Zambare, Advocate for Applicant.

Mr. A. Y. Pandule, Advocate for Respondent.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 23rd JULY, 2025.

P.C.:-

1. By this application, applicant-wife seeks transfer of Hindu Marriage Petition No.A/47/2024 pending before Family Court at Beed to Civil Judge Senior Division, Karjat, Dist. Ahmednagar.

2. The learned Advocate appearing for applicant submits that marriage between applicant and respondent took place on 21.05.2010. The applicant was ill-treated after marriage. Therefore, she was required to leave matrimonial house. Since then, she is residing at Mahijalgaon, Taluka Karjat, District Ahmednagar alongwith her parents. The couple is blessed with two children and they are residing alongwith applicant. The applicant has instituted PWDVA No.157/2024 before Judicial Magistrate First Class, Karjat, Dist. Ahmednagar and same is pending. Similarly, applicant has lodged FIR vide Crime No.236/2024 with Mirajgaon Police Station, Taluka Karjat against

respondent and in laws. In this background, respondent has initiated proceeding vide Hindu Marriage Petition No.A/47/2024 before Family Court at Beed seeking decree of dissolution of marriage. The learned Advocate further submits that distance between Mahijalgaon to Beed is more than 100 kilometers. The applicant is lonely lady. It is difficult for her to travel to attend proceeding at Beed.

3. The learned Advocate appearing for respondent vehemently opposes application and submits that there are no good grounds for transfer of proceeding.

4. Having considered submissions advanced, it can be observed that applicant is residing at Mahijalgaon, Taluka Karjat, Dist. Ahmednagar alongwith her parents. She is also taking care of two children. She has already instituted proceeding vide PWDVA No.157/2024 before Judicial Magistrate First Class at Karjat.

5. In this background, looking to the distance between place of residence of applicant to Beed where respondent has instituted proceeding, it would be inconvenient for applicant-wife to undertake journey. It is trite that, convenience of wife has to be given precedence over convenience of husband in cases of transfer of matrimonial disputes. Reference can be given to observations in

judgment of Supreme Court of India in case of *N.C.V. Aishwarya Vs. A. S. Saravana Karthik Sha*¹.

6. In that view of the matter, application is allowed in terms of prayer Clause (A).

7. Parties to appear before Civil Judge Senior Division at Karjat, Dist. Ahmednagar on 29.08.2025.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/July-2025

¹ AIR 2022 SC 4318.