



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

MISC. CIVIL APPLICATION NO. 372 OF 2023

Rama Chandrakant Pundge

.. Applicant

Versus

Chandrakant Ganpattrao Pundge

.. Respondent

Mr. Siddharth B. Paikrao, Advocate for the Applicant.

Mr. P. M. Gaikwad, Advocate for the Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 21st NOVEMBER, 2025.

PER COURT :-

1. Heard learned advocates for the parties.
2. This application is by the wife seeking transfer of H.M.P No. 97/2019 filed in the Court of learned C.J.S.D., Basmath to the Court of learned Judge, Family Court, Sangali. It is the case of the wife that, both the children i.e. one son and a daughter aged 15 years are staying with her. She find it difficult to travel to Basmath from Sangali. The distance between two places is about 464 kms. There are already two proceedings filed, one under the Protection of Women from Domestic Violence Act (for short "D.V.

Act”) and one for judicial separation filed by the wife in the Court at Sangali. Therefore, the learned advocate for the applicant submits that, it is the convenience of the wife that should be seen and the proceeding be transferred to the Court at Sangali.

3. The application is vehemently opposed by the learned advocate for respondent - husband. He has also filed affidavit in reply. It is stated in the affidavit in reply that, it is equally difficult for the husband to travel to Sangali. The wife happens to be a person from politically influential family. Her mother was a Corporator in Sangali Municipal Council and so also a Speaker. Her both brothers are active in political life. Therefore, he apprehends that, the husband would not get proper opportunity before the Court. There is also apprehension of threats at the hands of relatives of the wife. The learned advocate submits that, proceeding under the D. V. Act is already disposed of and therefore, on that ground proceeding need not be transferred.

4. This Court finds that, since the distance is about 464 kms., it is certainly difficult for wife to travel such a long distance. One proceeding is also pending in the Court of learned Judge, Family

Court, Sangali for judicial separation. It is always advisable that the proceeding for judicial separation and the proceeding filed for divorce by the husband are decided by the same Court to avoid conflicting findings. Therefore, this Court finds that, the application needs to be allowed. Hence, following order :

ORDER

(I) Misc. Civil Application is allowed in terms of prayer clause (B).

(II) After transfer of the proceeding, the applicant – wife shall not seek unnecessary adjournments. If unnecessary adjournments are sought, the Court may pass appropriate order compensating the respondent – husband if he personally remains present.

(III) Whenever a request is made by the respondent – husband to allow him to appear through video conferencing, the same shall be considered liberally.

(IV) With this, Misc. Civil Application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.