



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

MISC.CIVIL APPLICATION NO. 306 OF 2024

**SANGEETA W/O GOVIND PHULWARE
VERSUS
GOVIND S/O DATTATRAY PHULWARE**

...
Mr. Avinash Hande, Advocate for Applicant.

Mr. J. V. Deshpande, Advocate for Respondent.

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 05th AUGUST, 2025.**

P.C.:-

1. By this application, applicant wife seeks transfer of Hindu Marriage Petition No.155/2023 pending before Civil Judge Senior Division, Darwha to Family Court at Nanded.

2. The learned Advocate appearing for petitioner submits that marriage between applicant and respondent solemnized on 10.03.2003. Due to ill-treatment meted to her, she was required to leave matrimonial home and since then, she is residing at Nanded with her parents. The respondent has instituted H.M.P. No.155/2023 before Civil Judge Senior Division, Darwha. The distance between Darwha to Nanded is about 180 kilometers and it would be inconvenient for applicant to travel such distance. The learned applicant has filed PWDVA No.66/2024 before Judicial Magistrate First Class at Nanded. In that view of the matter, he urges to transfer proceeding filed by husband to Family Court at Nanded.

3. The learned Advocate appearing for respondent submits that infact applicant is residing at Pune and not at Nanded. He would further submit that respondent may face threats from brothers of applicant, if proceeding is transferred to Nanded. Therefore, he urges to reject application.

4. Having considered submissions advanced, it can be observed that applicant is residing at Nanded alongwith her parents. She has already instituted proceeding under Domestic Violence Act before Judicial Magistrate First Class at Nanded. Similarly, respondent-husband has filed H.M.P. No.155/2023 before Civil Judge Senior Division, Darwha.

5. Although respondent contends that he received threats from brothers of applicant, such contention are not supported by any material particulars or documentary evidence. In aforesaid background, looking to the law laid down by Hon'ble Supreme Court of India in case of *N.C.V. Aishwarya Vs. A. S. Saravana Karthik Sha*¹, convenience of wife has to be given precedence over convenience of husband in case of transfer of matrimonial disputes. Similarly, when there are multiple matrimonial proceedings between parties, it is necessary to take all such proceedings at one and the same place.

¹ AIR 2022 SC 4318.

6. In that view of the matter, case is made out to allow application. Hence, application is allowed in terms of prayer Clause (B).

7. Parties to appear before Family Court at Nanded on 11.09.2025.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/August-2025