



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

5 MISC.CIVIL APPLICATION NO. 273 OF 2023

RAKHI DEEPAK KHANNA
VERSUS
DEEPAK MOHANLAL KHANNA

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Advocate for Applicant : Mr. Akshay D. Kulkarni
Advocate for Respondent : Mr. I. K. Wagh h/f. Mr. Y. L. Bidve

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CORAM : KISHORE C. SANT, J.

DATE : 10.03.2025

PER COURT :

1. Heard Mr. Kulkarni, learned Advocate for the Applicant and Mr. Wagh, learned Advocate holding for Mr. Bidve, learned Advocate for the Respondent.
2. This application is filed for transfer of the proceeding of Hindu Marriage Petition No. 332 of 2021 pending before the Court of learned Civil Judge Senior Division, Panvel, District Raigad to the Court of learned Judge, Family Court at Aurangabad, District Aurangabad.
3. It is stated that, the applicant-wife is staying with her old aged parents. The applicant is required to attend the proceeding. There are twins namely Kiyansh and Kiyanshi, who are staying with the applicant. She finds it difficult to travel from Aurangabad to Panvel with children. There is no one to accompany her to travel to attend the Court at Panvel.
4. It is the case of the applicant-wife that already two proceedings

are filed at Aurangabad, one under Protection of Women from Domestic Violence Act, 2005 bearing PWDVA No. 481 of 2020 and another proceeding bearing Petition A-342 of 2022. The present proceeding sought to be transferred is filed by the respondent-husband for dissolution of marriage. The distance between two places is about 350 kms. She thus prays for transfer of proceedings.

5. The application is vehemently opposed by the learned Advocate for respondent-husband.

6. Considering the difficulties faces by the applicant-wife in travelling from Aurangabad to Panvel, this Court is inclined to allow the application. Application is therefore allowed in terms of prayer clause (B).

7. After the proceeding is transferred, the learned Judge shall try to dispose of the proceeding as early as possible and preferably within one (1) year from the date of transfer of the proceeding.

8. The proceedings of Petition A-342 of 2022, PWDVA No. 481 of 2020 and the transfer proceedings be taken together on the same day.

9. The applicant-wife shall co-operate in speedy disposal of the proceedings without seeking unnecessary adjournments. If the Court finds that unnecessary adjournments are sought by the applicant-wife, the Court may pass appropriate order compensating the respondent-husband.

10. With this, application stands disposed off.

(KISHORE C. SANT)
JUDGE

shp/-