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

5 MISC.CIVIL APPLICATION NO. 334 OF 2024

HARSHA SAGAR MORE

....Applicant

VERSUS

SAGAR SURESH MORE

.....Respondent

Mr. S. H. Tripathi, Advocate for the applicant

Mr. S. C. Yeramwar, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 22nd APRIL, 2025

P. C.

1. Heard the learned advocate for the parties.
2. This application is for transfer of the matrimonial proceeding pending before the learned Judge, Family Court at Kolhapur to the Family Court, Jalgaon.
3. It is the case of the wife that she is residing with her old aged parents. There is no one to accompany her to attend the court at Kolhapur. Distance between two cities is around 700

km. Though in the proceeding the Family court has granted maintenance and traveling expenses, still respondent has not paid the said amount. It is further case of the applicant that one proceeding under the Domestic Violence Act is filed in the Court at Jalgaon, where the respondent is attending the said proceeding.

4. The application is opposed by the learned advocate for the respondent. He submits that on most of the occasions the respondent has deposited the amount in the court at Kolhapur and the same is withdrawn by the wife-applicant.

5. Be that as it may, in the matter of transfer the court has to consider the convenience of the wife. In the present case it is clear from the record that wife is residing with her old aged parents at Jalgaon. One proceeding is already going on in the Court at Jalgaon. In view of above, it would be proper to allow the application. Hence, the following order:

ORDER

- i. The misc. civil application is allowed in terms of prayer clause (A).
- ii. After transfer the learned Trial Judge shall try to dispose off the proceeding as early as possible and preferably within one year from the date of transfer.
- iii. The applicant shall not seek unnecessary adjournments. In case the Trial Court find that the adjournments are unnecessarily sought by the applicant, the Trial Court may deal with such application, so as to compensate the respondent-husband, if he personally remains present.

[KISHORE C. SANT, J.]