



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

3 MISC.CIVIL APPLICATION NO. 338 OF 2024

SHIVNERI AMIT SALUNKE

VERSUS

AMIT KISHOR SALUNKE

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Advocate for Applicant : Mr. Anuj Ajay Fulfagar
Advocate for Respondent sole : Mr. D. R. Jethliya

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CORAM : KISHORE C. SANT, J.

Dated : February 13, 2025

PER COURT :-

1. Heard the learned Advocate for the parties.
2. This application is for transfer of matrimonial proceeding bearing Petition No. A-412/2024 pending before learned Judge, Family Court, Nashik to learned Civil Judge, Senior Division, Kopergaon.
3. The applicant-wife has come to this Court stating that, a son 6 years of age is staying with her. She is staying with her parents at Kopergaon. The distance between Kopergaon and Nashik is around 100 kms. It is difficult to attend the Court on any date by travelling a long distance.
4. There are two execution proceedings pending in the Court at Ahmednagar where the respondent-husband is

required to come and attend. Both the execution proceedings are filed even prior to filing of the present proceedings by the respondent-husband at Nashik.

5. Learned Advocate Mr. D. R. Jethliya for the respondent-husband vehemently opposed the application. He submits that the distance is hardly 100 kms. There is good connectivity between two places. The applicant-wife is not required to attend each and every date. It would be sufficient if she attends the Court only on the date when her appearance is required. He thus opposes the application.

6. Considering that, the child is staying with the wife is of six years of age. It would be certainly difficult for her to travel to Nashik to attend the dates. The second aspect is that there are two execution proceedings pending before the Court at Kopargaon. Looking at this aspect, this Court is inclined to allow the application. Hence following order :

ORDER

- i. The application is allowed in terms of prayer clause "B".
- ii. After transfer of proceedings, the applicant-wife shall not seek unnecessary adjournments.

iii. If the Court finds that, unnecessary adjournments are sought by the applicant-wife, the Court may pass appropriate order compensating the respondent-husband when he personally remains present.

iv. Whenever possible, the respondent-husband may appear through video conferencing.

v. With this, the applications stands disposed off.

(KISHORE C. SANT, J.)

PRW