



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

42 MISC.CIVIL APPLICATION NO. 341 OF 2024

UJWALA NIRANJAN BORHADE
VERSUS
NIRANJAN AMBADAS BORHADE

Mr. C.B. Choudhari, Advocate for the applicant.
Mr. A.T. Kanawade, Advocate for sole respondent.

CORAM : KISHORE C. SANT, J.
DATE : 22.09.2025

PC :-

01. At the outset, learned Advocate for the applicant seeks leave to correct proceeding number as 1304 of 2024 in prayer clause (C). The amendment be carried out forthwith.

02. Heard learned Advocate for the parties. This application is filed seeking transfer of the proceeding filed by the husband in the Court of learned Judge, Family Court, Pune for divorce bearing Petition A No. 1304 of 2024.

03. Applicant wife is residing at Dhule with her parents along with her daughter of ten years. It is submitted that distance between the two places is around 350 kms. She thus finds it difficult to attend the

proceeding at Pune. There are four proceedings already pending in the Courts at Dhule. First one is under the provisions of Protection of Women from Domestic Violence Act. Second is execution proceeding under section 125 of the Cr.P.C. Third is a contempt proceeding filed by wife at Dhule and fourth is a private complaint filed by husband in the Court at Dhule. The learned Advocate for the applicant, therefore, submits that it is a fit case to transfer the proceeding from the Court at Pune to the Court at Dhule.

04. Learned Advocate for the respondent vehemently opposes the application. He submits that the parties were residing together lastly in Pune and therefore the Court at Pune has jurisdiction. The proceeding is rightly filed in that Court. He further submits that the husband has suffered illness due to Covid in second wave. Doctor has advised him not to travel. Therefore, it is difficult for him to undertake the travel for attending the proceeding at Dhule.

05. Considering the above, this Court finds that it would be in the interest of justice to transfer the case to the Court at Dhule, while care needs to be taken of the interest of the husband. Hence, following order :-

- i) This application is allowed in terms of prayer clause (C).
- ii) After transfer of the proceeding, the applicant wife shall not seek unnecessary adjournments. If it is found that she is seeking unnecessary adjournments, the Trial Court may impose appropriate costs so as to compensate the husband if he personally remains present in the Court.
- iii) Whenever husband makes a request to appear through video conference, same shall be considered by the learned Trial Judge favourably.

[KISHORE C. SANT, J.]