



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

946 MISC.CIVIL APPLICATION NO. 330 OF 2023

ROJINABEE W/O KALIM PATEL

VERSUS

KALIM NABI PATEL

Mr. Syed Parvez Syed Gani h/f. Mr. Shaikh Naseer A., Advocate for the applicant.

Mr. D.D.Choudhari, Advocate for the sole respondent.

CORAM : KISHORE C. SANT, J.

DATE : 08.10.2025

PC :-

01. Heard learned Advocates for the parties. This application is filed by wife for transfer of proceedings bearing Petition No. A-69/2023 from the Court of learned Judge, Family Court, Jalgaon to the Court of learned Civil Judge, Senior Division, Thane.

02. It is a case of the applicant-wife that the distance between the two places is more than 500 kms. There is no one to accompany her. One proceeding is already pending in the Court of JMFC, Thane bearing PWDVA No. 919 of 2023, wherein the husband has already appeared.

03. Learned Advocate Mr. Choudhari vehemently opposes this application. He submits that the medical condition of the husband is not well. He is a patient of Asthma. Doctor advised him not to undertake long travel. He thus submits that even for the husband it is difficult to travel to Court at Thane.

04. This Court has considered the submissions. It is seen that already one proceeding is pending in the Court at Thane. The husband is attending the said proceeding. It would be in the interest of justice to transfer the proceeding to the Court at Thane. Hence, following order :-

- i) This Misc. Civil Application is allowed in terms of prayer clause (B).
- ii) The applicant-wife shall not seek unnecessary adjournments. If the Trial Court finds that the applicant-wife has sought unnecessary adjournments, the Trial Court may impose costs upon the applicant-wife, compensating the husband, if he personally remains present in the Court.
- iii) If the respondent-husband makes request for appearing through video conference, same shall be considered by the Trial Court liberally.

[KISHORE C. SANT, J.]