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3-MCA-357-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 MISC. CIVIL APPLICATION NO. 357 OF 2024

Sau. Siddhi Avinash Bharti

VERSUS

Avinash Ashok Bharti

...

Mr. Ravindra Babusing Ade, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 18th FEBRUARY 2025

PC :-

1. Heard the learned Advocate for the Applicant.
2. Inspite of service, none appears for the respondent.
3. This application is filed for transfer of the proceeding bearing HMP No.193 of 2024 from the Court of learned Civil Judge, Senior Division, Sillod Dist.Aurangabad to the Court of learned Civil Judge, Senior Division, Ahemadnagar.
4. It is the case of the applicant-wife that the applicant is staying with her parents. The distance between two places is about 205 k.m.. There is no one to accompany her to travel to attend the Court at Sillod. There are two proceedings pending in the Court at Rahuri i.e. one under the Domestic Violence Act and another complaint under Section 498-A of

the Indian Penal Code. Both the proceedings are pending at Rahuri where the husband has already appeared. She thus prays for transfer of the proceeding from the Court of learned Civil Judge, Senior Division, Sillod Dist.Aurangabad to the Court of learned Civil Judge, Senior Division, Ahemadnagar.

5. Considering above, this Court is inclined to allow the application. Application is allowed in terms of prayer clause (B).

6. After the proceeding is transferred, 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 shall deal with it to compensate the respondent.

7. The learned Judge shall try to dispose of the proceeding as early as possible and preferably within eighteen (18) months from the date of transfer of the proceeding.

8. With this, application stands disposed of.

[KISHORE C. SANT, J.]