

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 362 OF 2024

Sonam Ranjitsinha Thakur

VERSUS

Ranjitsinha Babusinha Thakur

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Advocate for Applicant : Mr. Mohit Shrikant Shah

Advocate for Respondent : Mr. Chaudhari Chetan Barku

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : AUGUST 01, 2025

PER COURT :-

1. The applicant/wife seeks transfer of Petition No.108 of 2024 filed by respondent/husband for decree of dissolution of marriage before learned Civil Judge Senior Division, Buldhana to Family Court at Dhule.

2. Learned advocate appearing for applicant submits that applicant and respondent married on 28.11.2010. However, due to ill-treatment meted to applicant, she was required to leave matrimonial home and presently she is residing at Deopur, District Dhule along with her parents. Learned advocate appearing for applicant has filed Criminal Misc. Application No.460 of 2022 before Judicial Magistrate First Class, Dhule under Domestic Violence Act and same is pending. The respondent/husband is attending said proceeding. He would submit that respondent/husband has filed Petition No.108 of 2024 seeking decree of dissolution of marriage

before Civil Judge Senior Division, Buldhana which is approximately 190 kms from Dhule. The applicant would face difficulty in attending said proceeding. She therefore urges to transfer said proceeding from Buldhana to Family Court at Dhule.

3. Learned advocate appearing for respondent vehemently opposes the application. According to him, the respondent/husband is in service and it would be difficult for him to travel a distance of 190 kms and also seek leave for attending the Court.

4. Having considered submissions advanced, it cannot be disputed that applicant is residing at Dhule along with her parents. She has already instituted a domestic violence proceeding vide Criminal Misc. Application No.460 of 2022 before Judicial Magistrate First Class, Dhule. The respondent/husband has caused his appearance and attending the same. In that view of matter, if Petition No.108 of 2024 pending before Civil Judge Senior Division, Buldhana is transferred to Family Court, Dhule, both proceedings can be attended by respondent/husband without any difficulty. It is trite that convenience of wife has to be given precedence over convenience of husband as per guidelines laid down by the Hon'ble Supreme Court in case of *N.C.V. Aishwarya vs A.S. Saravana Karthik Sha reported in AIR 2022 SC 4318*. Further, where there are multiple proceedings, it is appropriate to direct that all such proceedings are taken together at one and same place.

(3)

5. In result, case is made out to allow the application.
Hence, application is allowed in terms of prayer clause (B).

6. Parties to appear before Family Court at Dhule on
10.09.2025.

(S.G. CHAPALGAONKAR, J.)

Mujaheed//