



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

MISC. CIVIL APPLICATION NO. 367 OF 2024

Jyoti W/o Sharad Dahiphale
(Jyoti D/o Balaji Kendre)
Age : 30 years, Occu. : Service,
R/o. : Nagadarwadi, Tq. Loha,
Dist. Nanded.
Presently residing at
Rutuja residency, Plot No. 13, 14, 15
Gokul Nagar, Survey No. 50/15/4,
Narhegaon, Dhayari Phata, Dhayari,
Tq. Haveli, Dist. Pune

.. Applicant

Versus

Sharad S/o Dattu Dahiphale,
Age : 38 years, Occu. : Service,
R/o. : Malvan, Tq. Ahmedpur,
Dist. Latur.

.. Respondent

Mr. Nilkanth P. Bangar, Advocate for the Applicant.
Mr. V. C. Patil, Advocate h/f Mr. U. B. Bondar, Advocate for the
Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 28th FEBRUARY, 2025.

P. C. :-

. Heard the parties for some time.

2. This application is filed seeking transfer of matrimonial proceedings i.e. Hindu Marriage Petition No. 65/2024 pending before the learned Civil Judge Senior Division, Ahmedpur to the Court of

learned Civil Judge Senior Division, Pune.

3. It is the case of the applicant that, she is presently staying with her parents. The distance between two places is 430 Kms. There is no one to accompany her to attend the Court proceedings at Ahmedpur. The learned advocate submits that, one proceeding under the Protection of Women from Domestic Violence Act, 2005 bearing PWDVA No. 607/2024 is pending at Pune. The husband has already appeared in the said proceeding. Considering this, it is prayed that the Hindu Marriage Petition No. 65/2024 be transferred to the Court at Pune.

4. The learned advocate for respondent vehemently opposes the prayer. He submits that, the major witnesses are from Nanded. The witnesses will have to travel to Pune and that would cause inconvenience to the witnesses.

5. Considering that, the witnesses are required to travel once for evidence whereas, the applicant - wife has to travel on every occasion. The distance between two cities is 430 Kms. The applicant is a wife who find it difficult to travel to Ahmedpur to attend the proceedings, this Court finds that, it would be convenient for the wife to transfer the proceedings to the Court of learned Civil Judge Senior Division at Pune.

Hence, the following order.

ORDER

(I) The misc. civil application stands allowed in terms of prayer clause (B).

(II) The applicant shall not seek unnecessary adjournment after the proceeding is transferred to the Court of learned Civil Judge Senior Division at Pune. If the Court finds that, the applicant is seeking unnecessary adjournments, the Court may pass appropriate order compensating the respondent.

(III) After transfer of the proceeding, the learned Trial Court shall make endeavour to dispose of the matrimonial proceeding as early as possible and preferably within eighteen months from the date of the transfer.

(IV) With this, the misc. civil application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.