



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

MISC. CIVIL APPLICATION NO. 379 OF 2023

1. Rupali W/o Rakesh Jagtap
Age : 34 years, Occu. : Household,
R/o. At present C/o. Nandkishor
Shrimantrao Deshmukh, Husain Colony,
Pundlik Nagar Road, Garkheda Parisar,
Aurangabad, Tq. & Dist. Aurangabad.
2. Kavya D/o Rakesh Jagtap
Age : 09 years, Occu. : Education,
Under guardian of applicant No. 1 Mother
Rupali W/o Rakesh Jagtap
R/o. At present C/o. Nandkishor
Shrimantrao Deshmukh, Husain Colony,
Pundlik Nagar Road, Garkheda Parisar,
Aurangabad, Tq. & Dist. Aurangabad. .. Applicants

Versus

1. Rakesh S/o Balasaheb Jagtap
Age : 40 years, Occu. : Service.
 2. Rekhabai w/d. Balasaheb Jagtap
Age : 60 years, Occu. : Service,
- Both Resp. 1 and 2 R/o. At post Deshmukhwadi,
Tq. Chalisgaon, Dist. Jalgaon. .. Respondents

Mr. Vaibhav B. Kulkarni, Advocate for the Applicants.

CORAM : KISHORE C. SANT, J.

DATED : 12th MARCH, 2025.

P. C. :-

. In spite of service, none appears for respondent Nos. 1 and 2.

2. This application is filed seeking transfer of Marriage Petition No. 347/2022 and Civil Misc. Application No. 64/2022 pending before the learned Civil Judge Senior Division, Chalisgaon to the Court of learned Civil Judge Senior Division, Aurangabad.

3. It is the case of the applicants that, the applicant No. 1 is residing with her parents with minor daughter – applicant No. 2. There is no one to accompany her to attend the Court proceedings at Chalisgaon. The learned advocate submits that, two proceedings are already pending in the Court at Aurangabad wherein, the respondents have already appeared. One proceeding i.e. PWDVA No. 276/2021 is at the stage of evidence and another proceeding i.e. R.C.C. No. 2096/2022 is pending before the learned J.M.F.C., Aurangabad.

4. Considering the above, the Misc. Civil Application is allowed in terms of prayer clause (B).

5. The applicants shall not seek unnecessary adjournment after the proceedings are transferred to the Court of learned Civil Judge Senior Division at Aurangabad. If the Court finds that, the applicants are seeking unnecessary adjournments, the Court may pass appropriate order compensating the respondents.

6. After transfer of the proceedings, the learned Trial Court shall

make endeavour to dispose of the proceedings as early as possible and preferably within one year from the date of the transfer.

7. With this, the misc. civil application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.