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49-MCA-11-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 MISC.CIVIL APPLICATION NO. 11 OF 2024

Namita W/o Dipak Gaidhankar

VERSUS

Dipak S/o Ashok Gaidhankar

...

Mr. Hanumant P. Jadhav, Advocate for Applicant.

Ms. Prajakta P. Deshmukh Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 27th JANUARY 2025

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed by the applicant-wife for transfer of divorce proceedings bearing Petition-A No.216 of 2022 pending before the learned Family Court, Solapur to the Court of learned Civil Judge Senior Division, Ambajogai Dist. Beed.
3. The difficulties expressed by the applicant-wife to travel to Solapur are that the distance between two cities is more than 200 k.m. It is also difficult for the applicant-wife to travel the said distance without any company. Presently, she resides with her old aged parents. The parents

are also not in a position to accompany her to Solapur.

4. The learned Advocate for the respondent-husband vehemently opposes the application. From the affidavit-in-reply, she points out that the applicant is of the nature creating scene in the Court premises. He apprehends threat at the hands of the applicant. This Court has considered the submissions. Now it is well settled that, the proceedings are to be transferred on application of the applicant-wife at the place of her convenience. In the present case, the wife resides in Ambajogai. It would be therefore convenient to transfer the proceedings to Ambajogai. Hence, the following order:-

ORDER

- (i) Application stands allowed.
- (ii) The proceedings bearing Petition-A No.216/2022 pending before the Family Court at Solapur stands transferred to the Court of learned Civil Judge, Senior Division, Ambajogai.
- (iii) After the proceeding is transferred, the applicant 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, the Court shall deal with it to compensate the respondent.

(iii) The learned Judge, Ambajogai shall try to dispose of the proceeding as early as possible and preferably within one and half year from the transfer of the proceeding.

(iv) With this, application stands disposed off.

(v) It is also clarified that, the Court may also consider the request of the respondent-husband to appear through video conference whenever possible.

[KISHORE C. SANT, J.]