



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

54 MISC.CIVIL APPLICATION NO. 128 OF 2024

VAISHALI W/O SHUBHAM LAWARE
VERSUS
SHUBHAM S/O BHAUSAHEB LAWARE

Mr.D.R. Shelke, Advocate for the applicant.

CORAM : KISHORE C. SANT, J.
DATE : 23.01.2025

PC :-

01. Heard learned Advocate for the applicant. None for the respondent.

02. This application is filed seeking transfer of Marriage Petition No. 41 of 2024 pending before 2nd Jt. CJSD, Sangamner to the Court of CJSD, Vaijaur. The application is at the instance of wife. The husband has instituted proceeding at Sangamner for restitution of conjugal rights. It is case of the wife that already she had filed a complaint under section 498-A of the Indian Penal Code against husband in Vaijapur. It is only thereafter the husband filed HMP in the Court of Sangamner. The distance between the two places of more than 120 kms. The wife is residing with old aged parents, who are not in a position to accompany her to go to Sangamner for the Court proceeding.

03. Considering the above, the following order :-

ORDER

- i. The misc. civil application is allowed in terms of prayer clause (B).
- ii. After transfer the learned Trial Judge shall try to dispose off the proceeding as early as possible and preferably within eighteen months from the date of transfer.
- iii. The applicant shall not seek unnecessary adjournments. In case the Trial Court find that the adjournments are unnecessarily sought by the applicant, the Trial Court may deal with such application, so as to compensate the respondent-husband, if he personally remains present.

[KISHORE C. SANT, J.]