



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

905 MISC.CIVIL APPLICATION NO. 167 OF 2024

VARSHA W/O AMARSHIL SOLANKE

VERSUS

AMARSHIL S/O ARVIND SOLANKE

Mr.S.A. Ambad, Advocate for the applicant.

CORAM : KISHORE C. SANT, J.

DATE : 29.01.2025

PC :-

01. Heard learned Advocate for the applicant. None for the respondent inspite of service of notice.

02. Present application is filed seeking transfer of HMP No. 128 of 2023 pending in the Court of CJSD, Majalgaon to the Court of CJSD, Ambajogai. It is case of the applicant-wife that she is residing with her parents at Ambajogai. There is no one to accompany her to travel to Majalgaon. The distance is about 100 kms. There are already three cases filed against the respondent in the Court at Ambajogai, which are prior in time. She has filed complaint in police station for the offences punishable under sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code. She has also filed proceeding under section 125 of the Criminal Procedure Code. One proceeding is filed under the provisions of the Protection of Women From Domestic Violence Act. In all these proceedings, the husband has already appeared and attending the Court at Ambajogai. It is thus prayed that the proceeding of HMP at Majalgaon be transferred to the Court at Ambajogai.

03. Considering the above position, this Court is inclined to allow the application. Hence, following order :-

ORDER

- i) The misc. civil application is allowed in terms of prayer clause (B).
- ii) After transfer of the proceeding, the applicant-wife shall not seek unnecessary adjournments. If the Trial Court finds that the adjournments are unnecessarily sought by the applicant-wife, the Trial Court may pass suitable orders compensating the husband.
- iii) The misc. civil application is disposed off.

[KISHORE C. SANT, J.]