



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

60 MISC.CIVIL APPLICATION NO. 187 OF 2024

DR. SOW. JYOTI VICKY DALVI

VERSUS

DR. SHRI. VICKY SUNIL DALVI

Mr.S.B. Gastgar, 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 inspite of service of notice.

02. The proceeding pending in the Court of CJSD, Karjat, Dist. Ahmednagar bearing HMP No. 161 of 2023 is sought to be transferred to the Court of CJSD, Omerga. The application is by wife. It is submitted that the distance between the two places is 250 kms. There is no direct connectivity to attend the proceeding. The applicant has to stay overnight at Karjat. There is kid of 1 ½ years age. It is difficult for her to travel. There is also complaint filed by the applicant, in the Police station of Omerga for the offence punishable under section 498-A of the Indian Penal Code and under other sections, in the year 2022 i.e. prior to filing of the Hindu Marriage Petition. Only to counter the criminal

proceeding, this proceeding is filed by the respondent.

03. Considering all the above grounds, this Court finds that it would not be convenient for the wife to attend the Court at Karjat as there is no direct connectivity between Omerga and Karjat. This Court, therefore, finds that proceeding is to be transferred. Hence, 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 one year 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.]