



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

MISC. CIVIL APPLICATION NO. 350 OF 2024

Harsha W/o Tejas Patil

Age : 29 years, Occu. : Household,
R/o. C/o. Flat No. 181, Satyavinayak
Apartment, Behind Bus Stand, Lanja,
Tq. Lanja, Dist. Ratnagiri

.. Applicant

Versus

Tejas S/o Satish Patil

Age : 33 years, Occu. : Business,
R/o. Plot No. 70, Yashwant Nagar,
Ramanand Nagar Parisar, Jalgaon,
Tq. & Dist. Jalgaon.

.. Respondent

Mr. Rahul M. Jade, Advocate for the Applicant.

Mr. Abhijeet V. Thombre, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 30th APRIL, 2025.

P. C. :-

. Heard the parties.

2. This application is filed by applicant - wife seeking transfer of matrimonial proceedings from the Court of learned Judge, Family Court, Jalgaon to the Court of learned Civil Judge Senior Division, Ratnagiri. It is the case of the wife that, she resides at Lanja, District Ratnagiri with her parents. A child aged four years is also staying with the wife. The distance between Lanja to Jalgaon is more than 400

Kms. There is no direct connectivity between two places. The wife is required to come to Pune and from Pune she has to take another train/bus to go to Jalgaon. She thus find it difficult to attend the proceedings at Jalgaon.

3. The learned advocate for the respondent opposes the application. He submits that, the wife had initially filed an application under Section 24 of the Code of Civil Procedure for transfer in the District Court at Jalgaon. The said fact is not disclosed in the present application. The proceeding is now at the stage of recording of evidence and it is at this stage the application is filed. He thus opposes the application.

4. This Court finds that, it would be really difficult for the wife to attend the proceeding at Jalgaon with a child of four years age. Considering the distance between two places this Court finds that, it would be in the interest of justice to transfer the proceedings to the Court of learned Civil Judge Senior Division, Ratnagiri. Hence, the following order.

ORDER

(i) The Misc. Civil Application stands allowed in terms of prayer clause (B).

- (ii) After transfer of the proceeding, the learned Trial Court is requested to dispose of the proceeding as early as possible and preferably within one (01) year from the date of transfer.
- (iii) The applicant – wife shall co-operate in speedy disposal of the proceeding and shall not seek any adjournment unnecessarily. If Court finds that, adjournment is unnecessarily sought, the Court may pass appropriate order compensating the respondent -husband.
- (iv) If the respondent - husband makes a request to appear through video conferencing, such request shall be considered liberally by the learned Trial Court.
- (v) With this, the Misc. Civil Application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.