



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

923 MISC.CIVIL APPLICATION NO. 135 OF 2024

Lalita W/o Anil Deshmukh
VERSUS
Anil S/o Sahebrao Deshmukh

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Mr. Kailas G. Hande h/for Mr. Avinash D. Hande, Advocate for Applicant

Mr. D. D. Nikam, Advocate for the respondent-absent

CORAM : Y. G. KHOBRAGADE, J.

Dated : 13th January, 2026

PER COURT :-

1. At the outset, it is submitted that vide order dated 07.10.2025, passed by this Court, the parties to the present application were referred to the Mediator. On 28.11.2024, trained Mediator Smt. Geeta Deshpande has submitted a mediation failure report. It is taken on record and marked as 'X' for identification.
2. Heard Mr. Hande, the learned counsel appearing for the applicant. None appeared on behalf of the non-applicant though served and Advocate Mr. Wagh put up his appearance.
3. By the present application under section 24 of the Civil Procedure Code, the applicant wife prayed for transfer of Hindu Marriage Petition No. 2 of 2024, pending on the file of learned C.J.S.D., Buldana to the file of learned Family Court, Nanded.

4. The learned counsel appearing for the applicant canvassed that marriage between the applicant and non applicant was solemnized in the year 1978, however, due to mental and physical torture raised at the hands of non- applicant, the applicant was constrained to file proceeding under Section 125 of the Criminal Procedure Code and its recovery proceeding is pending before the Family Court, Nanded. Subsequently, the non applicant had filed Hindu Marriage Petition No. 2 of 2024 before learned C.J.S.D., Buldana. She is residing at Nanded with her parents. Being a lady, she is unable to travel from Nanded to Buldana to attend the said proceeding, which is 290 kms. away from her residence.

5. Though the non applicant is served and put up his appearance through a counsel, but failed to file reply and has not denied that the applicant is residing with her parents within the jurisdiction of family court at Nanded. Therefore, considering the convenience of the applicant wife, it is necessary to transfer Hindu Marriage Petition No. 2 of 2024 pending on the file of learned C.J.S.D., Buldana to the file of learned Family Court, Nanded.

6. In view of the above discussion, following order is passed.

ORDER

- (A) Misc. Civil Application is allowed.
- (B) Hindu Marriage Petition No. 2 of 2024, filed by the non-applicant and pending on the file of learned C. J. S. D., Buldana, is hereby transferred to the Family Court at Nanded.
- (C) Order be communicated to the concerned Courts.

(Y. G. KHOBRAGADE, J.)

JPChavan