



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

917 MISC.CIVIL APPLICATION NO. 190 OF 2024

**RAJKANYA W/O. SHRIKANT BEDRE
VERSUS
SHRIKANT S/O. SHRIRAM BEDRE**

.....
Advocate for Applicant : Mr. S.B. Paikrao
Advocate for Respondents : Mr. Menezes Joslyn A.
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**CORAM : Y.G. KHOBRAGADE, J.
DATE : 17.01.2026**

PC.:-

1. Heard Mr. Paikrao the learned counsel for the applicant and Mr. Menezes the learned counsel appearing for the non-applicant at length.
2. By the present application, the applicant/wife is seeking transfer of HMP No.48/2024 from the file of the learned C.J.S.D., Beed to the file of the learned Family Court, Parbhani on the ground that she is unable to attend the proceeding of HMP No.48/2024 pending on the file of learned C.J.S.D., Beed as it is not convenient for her to travel due to lack of transportation facilities. So also, she being a lady is having no source of income. Hence, prayed for transfer of the petition.

3. The learned counsel appearing for the non-applicant submitted that he is maintaining two minor daughters and working in private sector. Therefore, it would not be convenient to attend the proceeding at Family Court, Parbhani. However, it has been submitted that if the proceeding is transferred to the Family Court, Parbhani from the file of the learned C.J.S.D., Beed in that event the non-applicant may be permitted to appear through video conferencing. Needless to say that while exercising the power of transfer of any proceeding under Section 24 of the C.P.C. the Court is required to consider the convenience, feasibility and transportation facilities of a female litigant. In the case of **Krishna Veni Nagam V/s. Harish Nagam; AIR 2017 SC 1345**, wherein the Hon'ble Apex Court held that if the technology of video conferencing is available, in that event, the parties can avail the said facility and appear before the Court, if they are interested and observed in paragraph no. 18 as under:

"18. We, therefore, direct that in matrimonial or custody matters or in proceedings between parties to a marriage or arising out of disputes between parties to a marriage, wherever the defendants/respondents are located outside the jurisdiction of the court, the court where proceedings are instituted, may examine whether it is in the interest of justice to incorporate any safeguards for ensuring that summoning of defendant/respondent does not result in denial of justice. Order incorporating such safeguards may be sent along with the summons. The safeguards can be:-
i) Availability of video conferencing facility.

- ii) Availability of legal aid service.*
- iii) Deposit of cost for travel, lodging and boarding in terms of Order XXV CPC.*
- iv) E-mail address/phone number, if any, at which litigant from out station may communicate.”*

4. In the case in hand, the applicant is residing at Parbhani whereas the non-applicant has filed HMP No.48/2024 before the learned C.J.S.D., Beed and prayed for decree of divorce, however, the applicant being a lady is having no source of income and due to lack of transportation facilities she is unable to attend the Court at Beed. Therefore, considering the exigency, it would be just and proper to withdraw HMP No.48/2024 from the file of the learned C.J.S.D., Beed and it is required to be transferred to the file of learned Family Court, Parbhani.

5. In view of above discussion, I am inclined to grant the present application and proceed to pass the following order:

ORDER:

- i) MCA No.190/2024 is hereby allowed.
- ii) HMP No.48/2034 is hereby withdrawn from the file of learned CJSD, Beed and it is transferred to the file of learned Family Court, Parbhani.

iii) In case the non-applicant is having any problem to personally appear before the learned Family Court, Parbhani in that event he is permitted to appear through video conferencing.

[Y.G. KHOBRADE, J.]