



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 MISC.CIVIL APPLICATION NO. 365 OF 2024

Madhuri Kapesh Chavan @ Madhuri Nana Sonawane
VERSUS
Kalpesh Bhimao Chavan

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Mr. Patankar Himanshu Anil, Advocate for applicant
Mr. Choudhari Deepak D., Advocate for the respondent.

CORAM : Y. G. KHOBRADE, J.
Dated : 5th February, 2026

PER COURT :-

1. Heard learned counsel appearing for the applicant and learned counsel appearing for the non applicant at length.

1. By the present application under section 24 of the Civil Procedure Code, the applicant wife is seeking transfer of MP No. 59 of 2024 pending on the file of learned Civil Judge, Senior Division, Palghar to the court of learned Civil Judge, Senior Division, Jalgaon.

2. On the face of record, it appears that the marriage between the applicant and the non-applicant was solemnized on on 15.04.2022 at Pachora, District Jalgaon as per the customs and rites prevailing in their society. After the marriage, the applicant cohabited with the non-applicant for some period. However, due to matrimonial discord, both, the applicant and non applicant, are residing separately.

3. It is not in dispute that the present applicant instituted a proceeding bearing Misc. Criminal Application No. 94 of 2023 under

the Protection of Women from Domestic Violence Act and the said proceeding is pending before the learned JMFC, Pachora, Dist. Jalgaon. The present applicant has also filed a proceeding bearing HMP NO. 156 of 2024 before the learned Civil Judge, Senior Division, Jalgaon and prayed for decree of dissolution of marriage. Thereafter, the present non applicant husband has also filed a proceeding bearing MP No. 59 of 2024 before the learned Civil Judge, Senior Division, Palgar for decree of dissolution of marriage.

4. The applicant is residing at her parental house at Pachora, within the jurisdiction of Jalgaon District and the non applicant has instituted a proceeding HMP No. 59 of 2024 before the learned Civil Judge, Senior Division at Palghar which is about 400 kilometers away from her parental house.

5. It is well settled that while transferring proceedings from one court to another, the convenience of the lady is a paramount consideration. Therefore, considering the convenience of the applicant, it would be just and proper to withdraw MP No. 59 of 2024 from the file of learned Civil Judge, Senior Division, Palghar and transfer the same to the court of learned Civil Judge, Senior Division, Jalgaon for disposal in accordance with law.

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

ORDER

(1) Misc. Civil application is allowed.

- (2) MP No. 59 of 2024, pending on the file of learned Civil Judge, Senior Division, Palghar is hereby transferred to the Court of the learned Civil Judge, Senior Division, Jalgaon, for disposal in accordance with law.
- (3) The order be communicated to the concerned courts.

(Y. G. KHOBRAGADE, J.)

JPChavan