



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

938 MISC.CIVIL APPLICATION NO. 2 OF 2026

DHARMI CHIRAG JANI
VERSUS
CHIRAG BAKULESH JANI

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Advocate for Applicant : Mr. Prathemesh R.M.Borde h/f Mr. Shailesh
Sudhakar Chapalgaonkar

Advocate for Respondent : Mr. Kulkarni Suvidh S.

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CORAM : Y.G. KHOBRAGADE, J.
DATE : 26.02.2026

PER COURT :

1. Heard the learned counsel appearing for the respective parties.
2. By the present application, the applicant-wife prays for transfer of matrimonial proceeding bearing No. 49 of 2025, from the file of learned Family Court, Jalna, to the file of learned Family Court, Pune.
3. On face of record it appears that, the marriage between the applicant and non applicant was solemnized on 15.07.2021, as per the custom and rites prevailing in their society. Out of the said matrimonial relations they blessed with a female child namely Hinal on 16.04.2024. As on today, said child Hinal is aged about 2 years. However, due to matrimonial discord, the applicant was compelled to stay at her paternal house at Pune, with effect from 21.01.2025, however the non applicant has filed a proceeding bearing No. 49 of 2025, before the Family Court Jalna, seeking decree of restitution of conjugal rights, therefore, if she

compelled to attend the said proceeding at Jalna, in that circumstances she would have to travel from Pune to Jalna along with minor daughter aged about 2 years, which will certainly cause inconvenience to the applicant-wife.

4. No doubt, the non applicant has filed reply and strongly resisted the application, however, nothing has been brought on record to show that the applicant will not cause any inconvenience to attend the proceeding at Jalna, therefore, the contention raised by the non applicant does not appear to be bonafide. Therefore, considering the facts and circumstances of the case as well as the law laid down in the case of **N.C.V. Aishwarya v. A.S. Saravana Karthik Sha (Civil Appeal No. 4894 of 2022)**, I am of the view that, the petition No. 49 of 2025, pending on the file of learned Family Court, Jalna needs to be withdrawn and it needs to be transferred to the file of learned Family Court, Pune for proper adjudication. In view of the above I proceed to pass following order :

ORDER

- (i) The Misc. Civil Application is allowed.
- (ii) The matrimonial proceeding 49 of 2025, is transferred from the file of learned Family Court, Jalna, to the file of learned Family Court, Pune.
- (iii) This order be communicated to both the Courts.

(Y.G. KHOBRADE, J.)