



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

47 MISC.CIVIL APPLICATION NO. 75 OF 2025

SAW BHAKTI ABHISHEK CHINTAMANI
VERSUS
ABHISHEK NANDKISHOR CHINTAMANI

...
Advocate for Applicant : Mr. A.S. Hire h/f Mr. Bhusare Patil Ravindra
Laxman
Advocate for Respondent : Mr. Bhagwat Nilesh N.
...

CORAM : Y.G. KHOBRAGADE, J.
DATE : 02.02.2026

PER COURT :

1. Heard the learned Counsel appearing for the respective parties.
2. By the present application, the applicant-wife is seeking transfer of Hindu Marriage Petition No. 98 of 2024, from the file of learned Joint Civil Judge Senior Division, Rahata, District Ahmednagar to the Court of learned Civil Judge Senior Division, Gangapur, District Aurangabad.
3. It is not in dispute that, on 23.01.2022, the marriage between the applicant and non applicant was solemnized as per the customs and rites prevailing in their society. However, the applicant alleged that due to the reason of mental and physical harassment at the hands of her husband, the non applicant compelled her to stay at her

parental house at Shivaji Nagar, Gangapur, District Aurangabad, and as such, the non applicant has filed Hindu Marriage Petition no. 98 of 2024, seeking restitution of conjugal rights. Therefore, inconvenience is being caused to attend the said proceeding due to lack of transportation facilities, as well as due to financial crisis.

4. The non applicant, though appeared but has failed to file the reply.

5. The learned Counsel appearing for the non applicant canvassed that, the applicant is serving at Pune and with mala fide intention she has filed the present application, seeking transfer of Hindu Marriage Petition no. 98 of 2024, from the file of learned Joint Civil Judge Senior Division, Rahata, District Ahmednagar to the learned Civil Judge Senior Division, Gangapur. However, on perusal of the Hindu Marriage Petition, filed by the non applicant, it appears that, the non applicant himself has given the address of the present applicant as C/o Ramakant Dhondipant Bansode, near Gangapaur Panchayat Samiti, Gangapur, Taluka Gangapur. District Chhatrapati Sambhajnagar. Therefore, the contention raised on behalf of the non applicant is not acceptable to me. The non applicant has brought nothing on record to show that there is direct transport facilities available from the Gangapur to Rahata and the applicant wife is having source of income, therefore, considering the convenience of the wife, I am of the view that the

Marriage Petition No. 98 of 2024, instituted by the non applicant and pending on the file of learned Joint Civil Judge Senior Division, Rahata, District Ahmednagar needs to be withdrawn and the same be transferred to the file of learned Civil Judge Senior Division, Gangapur for proper adjudication. In view of the above, the application is allowed in terms of prayer Clause (A).

6. This order be communicated to both the Courts.

(Y.G. KHOBRADE, J.)

mahajansb/