



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 MISC.CIVIL APPLICATION NO. 111 OF 2025

Asmita Abhijit Udar

VERSUS

Abhijit Bhagwat Udar

...

Mr. Ghule Patil Amol Pralhad, Advocate for Applicant

Mr. Shrakant Sali h/for Mr. Shaikh Sohail Subhedar, Advocate for
Respondent

CORAM : Y. G. KHOBRAGADE, J.

Dated : 19th January, 2026

PER COURT :-

1. Heard learned counsel appearing for the applicant and learned counsel appearing for the non applicant at length.
2. By the present application under section 24 of the Civil Procedure Code, the applicant wife is seeking transfer of Petition No.A-556 of 2024, filed by the non-applicant, pending on the file of learned Family Court, Aurangabad (Chh.Sambhajinagar) to the file of learned Family Court, Jalna.
3. On the face of record, it appears that the marriage between the applicant and the non-applicant was solemnized on 12.12.2014 as per the customs and rites prevailing in their society. Out out the wedlock, the applicant and non applicant are blessed with a child Rihaan, aged about 5 years. However, due to

matrimonial discord, the applicant is residing at her parental house in Jalna and she has filed a proceeding bearing PWDVA No. 165 of 2023 before the JMFC, Jalna. Whereas, the present non applicant has filed No. A-556 of 2024, before the learned Family Court, Aurangabad (Chhatrapati Sambhajanagar), seeking a decree of divorce and the said proceedings are pending.

4. Needless to say, the applicant-wife is nurturing a minor child aged about five years. Therefore, it would be inconvenient for her to travel with the child and bear the travelling expenses to attend the proceedings at Aurangabad. Whereas, the non applicant husband can travel from Aurangabad to Jalna which is 60 kms. away, to attend the said proceeding at Jalna. Further, nowadays, video conferencing facilities are available in almost all courts. Therefore, if the non-applicant finds it inconvenient, or for any other reason is unable to remain personally present before the Family Court, Jalna, he may secure his presence through video conferencing.

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 is necessary to withdraw Petition No.A-556 of 2024 from the file of learned Family Court, Aurangabad (Chhatrapati

Sambhajinagar) and transfer the same to the file of learned Family Court, Jalna 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) Petition No.A-556 of 2024, filed by the non-applicant, pending on the file of learned Family Court, Aurangabad (Chhatrapati Sambhajinagar) is hereby transferred to the learned Family Court, Jalna, for disposal in accordance with law.
- (3) The order be communicated to the concerned courts.

(Y. G. KHOBRAGADE, J.)

JPChavan