



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 MISC.CIVIL APPLICATION NO. 130 OF 2025

Snehal Shubham Raut

VERSUS

Shubham Ashok Raut

...

Mr. Mehjul P. Kulkarni h/for Mr. Amol Shivajirao Sawant, Advocate for Applicant

Mr. Sunil Nimbalkar h/for Mr. Amol S. Gandhi, Advocate for the Respondent

CORAM : Y. G. KHOBRADE, J.

Dated : 17th 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 Marriage Petition No. 1391 of 2024, pending on the file of learned 13th Joint Civil Judge, Senior Division, Pune to the file of learned Family Court, Beed.

2. It is a matter of record that the marriage between the applicant and the non-applicant was solemnized on 07.12.2020 as per the customs and rites prevailing in their society. Out out the wedlock, the applicant and non applicant are blessed with a child Riyansh on 13.12.2021. However, subsequently, due to matrimonial discord, the applicant was driven out of her matrimonial house in the month of

May, 2023 and since then she is residing at her parental house Brhamanwadi, Dist. Beed. Thereafter, the present non applicant has filed Marriage Petition No. 1391 of 2024 before the learned 13th Joint Civil Judge, Senior Division, Pune, under Section 13(1) of the Hindu Marriage Act, seeking a decree of divorce, and the said proceedings are pending. Distance between her parental house and Pune is about 250 kms. Due to lack of direct transport facility and having no source of income, she is unable to travel with the child and bear the travelling expenses to attend the proceeding at Pune.

3. Per contra, the learned counsel for the the non-applicant has filed affidavit in reply and strongly opposed the application on the ground that applicant is not illiterate and she can travel from Beed to Pune.

4. Considering the law laid down in the cases of Sumita Singh vs Kumar Sanjay And Anr, 2001 (10) SCC 41, Kunapareddy Vs. Kunapareddy Swarna Kumari (2016) 11 SCC 774, Nandkishor Pralhad Vyawahare v. Mangala 2018 SCC online Bom 923 Satish Chander, Ahuja v. Sneha Ahuja (2021) 1 SCC 414N.C.V. Aishwarya Vs. A.S.Saravana Karthik Sha (Civil Appeal No.4894/2022) by order dated 18/07/2022 decided by the Hon'ble Supreme Court, while transferring proceedings from one court to another, the convenience of the lady is a paramount consideration. Therefore, considering the convenience of the applicant-lady, it would be just and proper to withdraw Marriage Petition No. 1391 of 2024, pending on the file of learned 13th Joint Civil Judge,

Senior Division, Pune and transfer the same to the file of learned Family Court, Beed for disposal in accordance with law

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

ORDER

- (1) Misc. Civil application is allowed.
- (2) Marriage Petition No. 1391 of 2024, filed by the non applicant, pending on the file of learned 13th Joint Civil Judge, Senior Division, Pune is hereby transferred to the learned Family Court at Beed, for disposal in accordance with law.
- (3) The order be communicated to the concerned courts.

(Y. G. KHOBRAGADE, J.)

JPChavan