



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

936 MISC.CIVIL APPLICATION NO. 198 OF 2025

Madhuri Prashant Mandage @ Madhuri Devanand Sonawne

VERSUS

Prashant Ashok Mandage

...

Mr. Amit Shashikant Savale, Advocate for Applicant

Mr. Shubham Sanjay Kote, Advocate for Respondent

CORAM : Y. G. KHOBRADE, J.

Dated : 13<sup>th</sup> January, 2026

PER COURT :-

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

2. By the present application under section 24 of the Civil Procedure Code, the applicant wife is seeking transfer of Hindu Marriage Petition No. A-183 of 2024, pending on the file of the learned Family Court Nashik to the file of learned Civil Judge, Senior Division, Shahada, District Nandurbar, for disposal in accordance with law.

3. The learned counsel appearing for the applicant submitted that the marriage between the applicant and the non-applicant was solemnized on 04.12.2007 and out of the said wedlock, they are blessed with a female child. However, on

10.08.2017, the non-applicant deserted her and since then she is residing at her parental house at Shahada, which constrained her to file a proceeding bearing HMP No.165 of 2023 under the Hindu Marriage Act for dissolution of marriage and subsequently, the non applicant filed a proceeding bearing Hindu Marriage Petition No. A-183 of 2024 before the Family Court at Nashik seeking decree of restitution conjugal rights.

4. It is not in dispute that distance between Shahada and Nashik is about 250 kms. Since the applicant is residing at her parental house at Shahada, it is inconvenient for her to attend the said proceeding filed by the non applicant husband at Nashik.

5. As per section 24 of the Civil Procedure while transferring a proceedings from one court to another, the convenience of the lady, who is required to attend the proceeding, is required to be considered. Therefore, considering the nature of dispute and convenience of the applicant- wife, it would be just and proper to transfer Hindu Marriage Petition No. A-183 of 2024, pending on the file of the learned Family Court Nashik to the file of learned Civil Judge, Senior Division, Shahada, District Nandurbar, 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) Hindu Marriage Petition No. A-183 of 2024, pending on the file of learned Family Court Nashik is hereby transferred to the file of the learned Civil Judge, Senior Division, Shahada, District Nandurbar for disposal in accordance with law.
- (3) Considering the pendency of cases before him, the learned Civil Judge, Senior Division, Shahada, District Nandurbar, is hereby requested to dispose of the transferred proceedings as early as possible.
- (4) The order be communicated to the concerned courts.

**( Y. G. KHOBRAGADE, J. )**

JPCChavan