



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 MISC.CIVIL APPLICATION NO. 199 OF 2025

**PRATIBHA SHIVAJI NIPANE @ PRATIBHA SURESH SHINDE
VERSUS
SHIVAJI UDDAV NIPANE**

.....
Advocate for Applicant : Mr. S.R. Nikam h/f. Kakade Yuvraj Vijayrao
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**CORAM : Y.G. KHOBRAGADE, J.
DATE : 10.02.2026**

PC.:-

1. Heard the learned counsel appearing for the applicant at length. On 27.06.2025, notice was issued to the non-applicant. In pursuance of order dated 05.01.2026, the applicant has filed service affidavit stating that on 27.01.2026 the non-applicant served with the notice as per track report.
2. By the present application, the applicant/wife is seeking transfer of Petition No.PA-2327/2024 from the file of the learned Family Court, Pune to the file of the learned Family Court, Ahilyanagar (Amednagar). Despite service none appeared on behalf of the non-applicant. On face of record, it appears that on 23.04.2008 the marriage between the applicant and non-applicant was solemnized as per the customs and rites prevailing in their society. Out of the said wedlock they are blessed with two children namely-

Sai and Sarthak. However, subsequently the present applicant/wife was subjected to cruelty and domestic violence at the hands of the non-applicant/husband. Ultimately, she was driven out of her matrimonial house and was compelled to stay at her parental house. However, non-applicant has filed proceeding bearing No. PA-2327/2024 before the Family Court, Pune seeking decree of divorce. The applicant/wife is unable to travel from her parental house along with two minor children.

3. It is well settled principle of law that, while considering the transfer of matrimonial proceeding the paramount consideration is about convenience of the female litigant. In the case in hand, the applicant is staying at her parental house within the jurisdiction of Family Court, Ahilyanagar with her minor children. Therefore, if she is compelled to attend the proceeding at Family Court, Pune in that event certain, hardship and inconvenience would cause to her. Therefore, it would be just and proper to withdraw the matrimonial proceeding no. PA-2327/2024 from the file of learned Family Court, Pune and transfer it to the file of the learned Family Court, Ahilyanagar.

4. In view of above, I am inclined to grant the present application and proceed to pass the following order:

ORDER:

- i) MCA No.199/2025 is hereby allowed.
- ii) Petition No. PA-2327/2024 is hereby withdrawn from the file of learned Family Court, Pune and it is transferred to the file of learned Family Court, Ahilyanagar.
- iii) The copy of this order be communicated to both the Courts below.

[Y.G. KHOBRADE, J.]