



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 MISC.CIVIL APPLICATION NO. 160 OF 2025
WITH
MISC.CIVIL APPLICATION NO. 279 OF 2025

CHETALI BHUSHAN SURYAWANSHI
VERSUS
BHUSHAN NAMDEO SURYAWANSHI

.....
Advocate for the Applicant : Mr. Mulange Akshay Gangabhushan
Advocate for the Respondent : Mr. Shailesh S. Chapalgaonkar
.....

CORAM : Y.G. KHOBRAGADE, J.
DATE : 16.02.2026

PC.:-

1. The applicant/wife has filed MCA No.160/2025 and prayed for transfer of Petition No.A-864/2024 from the file of the learned Family Court, Nashik to the file of the learned Family Court, Jalgaon, whereas, the non-applicant/husband who is applicant in MCA No.279/2025 prayed for transfer of HMP No.79/2025 from the file of the learned 2nd Jt. CJSD, Jalgaon to the file of the competent Court, Kopargoan, Dist. Ahilyanagar.

2. Having regard to the submissions canvassed on behalf of both the sides, I have gone through the record. It is not in dispute that the applicant and the non-applicant were working in private sector. Now, the applicant claims that she has resigned from the private job, whereas, the non-applicant

husband is staying at Nashik and is serving in private establishment. Indeed, on 07.02.2023 the marriage between the applicant and the non-applicant was solemnized as per the customs and rights prevailing in the society at Nashik. Initially, the matrimonial relations between the applicant and non-applicant were cordial, however, subsequently, said relations became strained which resulted in filing of proceeding bearing HMP No.79/2025 before the 2nd Jt. CJSD, Jalgaon by the applicant/wife. Subsequently, the non-applicant husband who is applicant in MCA No.279/2025 filed proceeding bearing Petition No.A-864/2024 before the learned Family Court, Nashik and prayed for decree of dissolution of marriage.

3. Therefore, both the above proceedings are pending in two different Courts. By way of these applications, the applicants vice versa prayed for transfer of proceedings filed against each other from one place to another. It is not in dispute that Petition No.A-864/2024 is pending on the file of the learned Family Court, Nashik and the applicant is residing at her parental house village Pahan Tq. Pachora, Dist. Jalgaon and she has recently resigned from the private job. The distance between Nasik and Jalgaon is 247 kms. Not only this, the applicant/wife in MCA No.160/2025 has also filed PWDVA No.53/2025 and it is pending on the file of the learned JMFC, Pachora.

4. On perusal of application no.279/2025, it shows that after the non-applicant is served with the notice in HMP No.79/2025 he learnt that the said petition is pending before the learned 2nd Jt. CJSD, Jalgaon, however, due to his psychiatric treatment and due to mental trauma he is unable to travel from Nashik to Jalgaon. Needless to say that, the applicant/husband in MCA No.279/2025 is already attending the proceedings PWDVA No. 53/2025 before the learned JMFC, Pachora and also attending the proceeding HMP No.79/2025 pending on the file of learned 2nd Jt. CJSD, Jalgaon and if the Petition No.A-864/2024 is withdrawn from the file of learned Family Court, Nashik and if it is transferred to the file of the learned Family Court, Jalgaon no prejudice would be caused to him and it will also be convenient for both the parties for proper adjudication and to avoid contradictory decisions. Nonetheless, the present applicant/husband in MCA No.279/2025 is a male person and he can travel from Nashik to Jalgaon which is 247 kms and no prejudice would be caused to him

5. In view of above discussion, the MCA No.160/2025 needs to be allowed, however, MCA No.279/2025 needs to be dismissed. Accordingly, I proceed to pass the following order:

ORDER:

- i) MCA No.160/2025 is hereby allowed.
- ii) Petition No.A-864/2024 pending on the file of learned Family Court, Nashik is hereby withdrawn and it is transferred to the file of Family Court, Jalgaon.
- iii) MCA No.279/2025 is hereby dismissed.
- iv) The copy of this order be communicated to the concerned Courts below.

[Y.G. KHOBRAGADE, J.]