



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

14 MISC.CIVIL APPLICATION NO. 292 OF 2025

DHANASHRI HARIKESH PANDAV
VERSUS
HARKESH DATTATRAY PANDAV

.....
Advocate for Applicant : Mr. Pawankumar Surykiren Agrawal
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CORAM : Y.G. KHOBRAGADE, J.
DATE : 16.02.2026

PC.:-

1. As per the office note, as the house of non-applicant was locked, the Bailiff affixed the notice on his door. The applicant has filed service affidavit stating that notice is served upon the non-applicant by registered speed post on 05.02.2026. The said affidavit is taken on record. Further, as per the Bailiff report submitted through the learned CJSD, Latur it appears that the Bailiff has contacted the non-applicant on cell phone and in reply he has stated that he knows the date of this matter and asked him to sent the copy of notice through PDF. Therefore, the non-applicant is duly served.

2. By the present application, the applicant/wife is seeking transfer of HMP No.A-75/2025 from the file of the learned Family Court, Latur to the file of the learned Family Court, Nanded.

3. After hearing the learned counsel for the applicant, it appears that the marriage between the applicant and the non-applicant was solemnized on 17.12.2018 as per the Hindu customs and rites at Nanded. After the marriage, the applicant co-habited with her husband/non-applicant at her matrimonial house at Ambejogai and later on at Latur. Out of matrimonial relations, they were blessed with a male child-Malhar on 23.02.2020, however, due to cruelty and domestic violence raised by the non-applicant, she was compelled to take shelter at her parental house at Nanded. The applicant filed Petition No.11/2025 under Section 13 of the Hindu Marriage Act seeking decree of divorce before the Family Court, Nanded, whereas, the non-applicant has also filed proceeding bearing HMP No.A-75/2025 before the Family Court, Latur seeking decree of divorce. The applicant is having a minor child and she is maintaining him, therefore, if she is compelled to travel to Latur to attend the proceedings before the Family Court, Latur in that event inconvenience would be caused to her and she is also unable to travel with the minor child.

4. The non-applicant has not denied the said fact. Therefore, it would be just and proper to withdraw the matrimonial proceeding bearing HMP No.A-75/2025 pending on the file of the learned Family Court, Latur and transfer it to the file of the learned Family Court, Nanded for deciding the

same with Petition No.11/2025 to avoid contradictory orders/findings.

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

ORDER:

- i) MCA No.292/2025 is hereby allowed.
- ii) Petition bearing HMP No. A-75/2025 is hereby withdrawn from the file of learned Family Court, Latur and it is transferred to the file of learned Family Court, Nanded, to be decided along with Petition No.A-11/2025.
- iii) The copy of this order be communicated to both the Courts below for proper adjudication.

[Y.G. KHOBRAGADE, J.]