



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 MISC.CIVIL APPLICATION NO. 304 OF 2025

Yogita @ Seema Krushna Bhadke

VERSUS

Krishna Dashrath Bhadke And Another

...

Mr. Ambad Shrinivas Abhimanyu, Advocate for Applicant

Mr. Upendra A. Khekale, Advocate for non applicants.

CORAM : Y. G. KHOBRAGADE, J.

Dated : 8th April, 2026

PER COURT :-

1. Heard learned counsel appearing for the applicant and learned counsel appearing for the non applicant at length.
2. By the present application under section 24 of the Civil Procedure Code, the applicant wife is seeking transfer of Hindu Marriage Petition No.952 of 2022 pending on the file of learned Civil Judge, Senior Division, Pune to the court of learned Civil Judge, Senior Division. Ambajogai, District Beed.
3. Admittedly, the marriage between the applicant and the non-applicant was solemnized on 07.05.2017 as per the customs and rites prevailing in their society. After the marriage, the applicant cohabited with the non-applicant. Out out the wedlock, the applicant and non applicant are blessed with a female child, now aged about seven years. However, subsequently, the non-applicant subjected the applicant to ill-treatment and cruelty on various grounds, leading to marital discord

between them. Consequently, she started residing with her parents at village Deola Tq. Ambajogai District Beed. Thereafter, the non-applicant filed proceedings bearing Hindu Marriage Petition No. Marriage Petition No.952 of 2022 before the learned Civil Judge, Senior Division, Pune seeking a decree of divorce.

4. The learned counsel for the applicant canvassed that the applicant is a housewife and residing with her parents at village Deola Tq. Ambajogai alongwith her minor child. The distance between Ambajogai and Pune is about 275 kilometers. Therefore, it will be inconvenient for the applicant to travel with a minor child and bear the travelling expenses.

5. In the case of ***N.C.V Aishwarya Vs. A. S. Saravana Karthik Sha (Civil Appeal No.4894/2022)*** decided by the Hon'ble Supreme Court on 18.07.2022, in paragraph No.9, it is held that:

"9. The cardinal principle for exercise of power under section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or other proceeding. In matrimonial matters, wherever Courts are called upon to consider the plea of transfer, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Given the prevailing socio-economic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer."

10. It is well settled that, while transferring any matrimonial proceeding from one Court to another, the convenience of the wife/female is required to be taken into consideration. Therefore, considering the law laid down by the Hon'ble Supreme Court in the above cited case, it is necessary to withdraw Hindu Marriage Petition No.952 of 2022 pending on the file of learned Civil Judge, Senior Division, Pune and transfer the same to the court of learned Civil Judge, Senior Division. Ambajogai, District Beed for disposal in accordance with law.

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

ORDER

- (1) Misc. Civil application is allowed.
- (2) Hindu Marriage Petition No.952 of 2022 pending on the file of learned Civil Judge, Senior Division, Pune is hereby transferred to court of learned Civil Judge, Senior Division. Ambajogai, District Beed for disposal in accordance with law.
- (3) The Non applicant shall be at liberty to appear through Video Conferencing facility, in case he is having difficulty to personally appear before the .
- (3) The order be communicated to the concerned courts.

(Y. G. KHOBRAGADE, J.)