



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

MISCELLANEOUS CIVIL APPLICATION NO. 93 OF 2026

Devyani Vasudev Patil

..APPLICANT

VERSUS

Vasudev Suresh Patil

..RESPONDENT

....
Mr. A.G. Mulange, Advocate h/f Mr. J.V. Patil, Advocate for Applicant
....

CORAM : ABHAY J. MANTRI, J.
DATE : 04th MAY, 2026

PER COURT :

1. The Applicant seeks to transfer the Divorce proceeding bearing H.M.P. No. 489 of 2025 pending before the learned C.J.S.D., Bhusawal, to the learned Family Court, Pune.

2. Heard learned counsel for the Applicant and perused the record. Office note dated 27th April, 2026, indicates that the Respondent has been served. Similarly, the service affidavit filed by the learned counsel for the Applicant affirms that he has personally served notice on the Respondent's parents. The said fact denotes that the Respondent was duly served. Despite service of the notice, no one appeared for the Respondent, nor did he file a reply. This leads to the inference that the Respondent has no grievance about the averments made in the Application.

3. At the outset, it appears that the Applicant has a four-year-old son, and therefore, it is inconvenient and difficult for her to travel and attend the Court proceeding at the learned C.J.S.D., Bhusawal, which is 400 km away from Pune.

4. Having considered the non-appearance of the Respondent as well as the fact that the Applicant has a minor son, and therefore it is inconvenient for her to travel and attend the proceeding at Bhusawal, which itself indicates that she will have to endure hardship and suffering. In such an eventuality, and in view of the law laid down by the Hon'ble Supreme Court in *N.C.V. Aishwarya Versus A. S. Saravana Karthik Sha.*, AIR Online 2022 SC 1268, it would be appropriate to transfer the proceeding, i.e. H.M.P. No. 489 of 2025, pending before the learned C.J.S.D., Bhusawal to the learned Family Court, Pune, which would not cause prejudice to the Respondent.

5. As a result, *the Miscellaneous Civil Application is allowed in terms of the prayer clause (A).*

6. The Application is disposed of.

(ABHAY J. MANTRI, J.)

SSD