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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 114 OF 2014

Mrs. Naina Atul Jadhav ... Applicant

Versus

Mr. Atul Vitthal Jadhav ... Respondent

Mr. Deepak K. Girme for the applicant.

Mrs. Uma S. Palsuledesai for respondent.

**CORAM : Smt. R.P.SondurBaldota, J.
DATED : February 05, 2015**

P.C.

1) This application is filed by the wife under Section 24 of the Code of Civil Procedure for transfer of M.J. Petition No. A21 of 2014 pending in the Family Court, Thane to the Family Court at Pune.

2) The applicant has set out three reasons for transfer of the proceedings. Firstly the applicant being unemployed can not bear the financial burden of travel from Pune to Thane on each date of proceedings. Secondly, she has a minor daughter aged eight years to look after. And thirdly her parents are old and infirm.

3) Considering the short distance between Thane and Pune and

the conveyances available, it cannot be said that the applicant will not be able to undertake the journey to Thane. The respondent in his affidavit-in-reply states that the applicant is well qualified person who holds a Diploma in Information Technology apart from a degree in Arts. According to him, she has also done software application course of National Academy of Software Applications. These facts are not disputed by the applicant. This would mean that the applicant is an educated person to undertake journey to Thane. As regards the expenses to be incurred for the travel, it is open for the applicant to make an application to the court for direction to the respondent for payment of the traveling expenses. The next contention is that the applicant needs to look after the child. The age of the child is eight years. She is a school going child. Therefore, she can not be an impediment for the applicant to travel from Pune to Thane.

4) Thus there is no case made out for transfer of the proceedings from Thane to Pune. Besides the proceedings filed by the respondent are pending in the court which has jurisdiction to entertain the same and the witnesses to be examined by the respondent in the proceedings would be available at Thane. Hence, Misc. Civil Application is dismissed.

(SMT R.P. SondurBaldota,J.)