

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

MISC. CIVIL APPLICATION NO.150 OF 2015

Mr.Kunal H. Sidhpura .. Applicant

Vs.

Mrs.Manisha K. Sidhpura .. Respondent

Ms.Deepika Motilal Bafna for the applicant

CORAM : K.K.TATED, J.
DATED : 23/09/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 This court by order dated 17.7.2015 directed office to issue notice for final disposal of the matter, returnable after 8 weeks.
- 3 Though respondent is duly served, no one appeared on behalf of her when the matter was called out.
- 4 This application is filed by husband for transfer of Marriage Petition No.1035 of 2013 filed by respondent wife under section 13(1) (ia) of the Hindu Marriage Act, 1955 in the court of Civil Judge, Senior Division, Pune at Pune.
- 5 The learned counsel for the applicant submits that the

respondent wife is staying at Mumbai. She is working with Loyalty Rewardz Mngt. Pvt.Ltd. at Mumbai. In support of his contention, the learned counsel for the applicant relies on the resume of the respondent which is at Exhibit B on page 23. She further relies on the photocopy of the current company website where the respondent is working which is at Exhibit C on page 26. She submits that both these documents show that respondent is residing at Mumbai.

6 The learned counsel for the applicant submits that respondent wife with malafide intention filed Divorce Petition at Pune showing her care of address. She submits that as the applicant husband as well as respondent both are staying at Mumbai. Hence, this Hon'ble Court be pleased to transfer Marriage Petition filed by wife at Pune to Mumbai Court.

7 Exhibit B and C of the petition shows that respondent wife is staying / working at Mumbai. Apart from that title of the Marriage Petition No.1035 of 2013 filed by wife at Pune shows that she has given care of address of one Khemchandani Ghanshyam Devanand.

8 Considering Exhibit B and C of the application which shows that respondent wife is working / staying at Mumbai, I am of the opinion that in the interest of Justice, petition filed by respondent wife at Pune for divorce is required to be transferred at Mumbai. Hence, following order:

- a) Office of the Civil Judge, Senior Division, Pune is directed to transfer Marriage Petition No.1035 of 2013 filed by Respondent wife for divorce under section 13(1)(i-a) of

the Hindu Marriage Act, 1955 to the Family Court at Bandra, Mumbai for hearing and final disposal on its own merits.

b) Application stands disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.