

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

MISC. CIVIL APPLICATION NO.124 OF 2014

Sou. Akshada Harish Thakur
Age 25 years, Student
R/o. Sai Kiran Apartment,
Lokmanya Nagar, Kacheri Road,
Palghar, Dist. Thane .. Applicant.

V/s

Shri Harish Subhash Thakur
Age 33 years, Occ. Service.
R/o. At Kalamboli, Navi Mumbai
Police Station, Navi Mumbai,
Raigad .. Respondent.

Mr. Sachindra B. Shetye, for Applicant.

Coram : Smt. R.P. SondurBaldota, J.
Date : 11th March, 2015

P.C.

1. This is an application filed under Section 24 of the Code of Civil Procedure for transfer of Marriage Petition No.107 of 2014 filed by the respondent in the Court of Civil Judge, Senior Division, Jalgaon to the Court of Joint Civil Judge, Senior Division, Palghar. Notice of application is served upon the respondent, he is absent

despite service.

2. Applicant claims that the proceedings have been filed by the respondent at Jalgaon deliberately with intention to harass her. The learned advocate for the applicant submits that respondent also does not ordinarily reside at Jalgaon. He is a Senior Inspector in the Police Department and only recently he was posted at Khargar, Dist. Raigad. Today, he is posted at Panvel.

3. The specific statement that respondent does not ordinarily reside at Jalgaon, but has been residing at Khargar is not disputed. In that circumstance there can be substance in the contention of the applicant. Also the respondent himself must travel the distance from Khargar to Jalgaon for each date of the matter. Therefore, there can be no prejudice to the respondent if the matter is transferred to Palghar. Hence, the application is allowed in terms of prayer clause – (a).

(Smt. R.P. SondurBaldota, J.)