

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO.133 OF 2014**

Sou. Swati Nitin Dafal Applicant

Vs.

Dr. Nitin Ashok Dafal Respondent

Mr. Dilip Bodake Advocate for the Applicant.
None for the Respondent.

Coram : Smt. R.P. SondurBaldota, J.

Date : 2nd March, 2015.

P.C.

The matter is placed on the board for speaking to the minutes of the order dtd. 11th February, 2015 in order to correct appearance of the Advocates for the parties. Mr. Bodake, the learned advocate appearing for the applicant points out that Mr. Sharad Bhosale had been holding for him for the applicant and none had appeared for the respondent, despite notice. The correction in the order be carried out and the order be read accordingly.

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

Note : Corrected pursuant to speaking to the minutes on 2nd March, 2015.

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MISCELLANEOUS CIVIL APPLICATION NO.133 OF 2014

Sou. Swati Nitin Dafal		Applicant
<u>Vs.</u>		
Dr. Nitin Ashok Dafal		Respondent

Mr. Sharad Bhosale h/for Mr. Dilip Bodake, Advocate for the Applicant.
None for the Respondent.

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

P.C.

1 This application is filed by the wife under Section 24 Code of Civil Procedure for transfer of Hindu Marriage Petition No.107 of 2013 filed by the respondent-husband in the Court of Civil Judge, Senior Division, Panvel, District Raigad to the Court of Civil Judge, Senior Division, Rajgurunagar, District Pune. The applicant claims that since the time she was driven out of the house, she has been residing with her parents at village Golapur, Tal. Khed, District Pune. As stated at paragraph 8 of the application, on 4th December, 2013, the applicant has delivered a child. The applicant finds it very inconvenient and difficult to travel the distance from village Golapur to Panvel for attending to the proceedings. It is also claimed that there is no proper

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conveyance available from Golapur to Panvel. The applicant has annexed copy of the petition filed by the respondent. Mr. Bhosale, the learned advocate for the applicant points out from the petition that the respondent has alleged therein that the applicant is a mentally disturbed person and that she behaves in a wayward manner.

2 In view of the allegations made by the respondent about the mental health of the applicant and the fact that she has to look after a small baby, it would be in the interest of justice that the proceedings are transferred to the place where the applicant is residing today. Hence, the application is allowed in terms of prayer clause (b).

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