

Rane

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MCA-137-2014
(sr. no.95)
Monday, 9.3.2015

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 137 OF 2014

Amruta Manish Dongaonkar

.....Applicant

: V/S :

Manish Dongaonkar

.....Respondent

* * * * *

Mr. Ajit B. Gaikwad, Advocate for the applicant.

Mr. Harshad h/f. Mr. Amit Borkar, Advocate for the respondent.

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

9th March, 2015.

P.C. :-

1). This application is filed under Section 24 Civil Procedure Code is for transfer of Marriage Petition No. A/643 of 2014 pending in the Family Court, Pune to the Family Court at Latur. The applicant, wife seeks transfer on the grounds of (i)personal inconvenience for travel, (ii) financial incapacity and (iii) the responsibility of looking after the three year old child.

2). The marriage between the parties was solemnized on 3rd December, 2009. On 20th April, 2012 a son was born to the parties and since the month of June, 2014 they are residing separately. The

proceedings filed by the respondent are for judicial separation under Section 23 of the Special Marriage Act.

3). Considering the age of the child, it will undoubtedly require continuous attention of the mother. Consequently, it will be inconvenient for the applicant to travel the distance for the purpose of attending to the Court proceedings. Therefore, in the interest of justice it is desirable that the proceedings are transferred to the place where the applicant is residing. Hence, the application is allowed in terms of prayer clause (c).

(SMT. R.P. SONDURBALDOTA, J)