

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.188 OF 2014

MRS.KASHISH SANJAY LAKHUPOTA)...APPLICANT

V/s.

MR.SANJAY HARESHLAL LAKHUPOTA)...RESPONDENT

Ms.Jyoti Bajpayee, Advocate for the Applicant.

Mr.Jaiwant Chandnani, Advocate for the Respondent.

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

Date : 21st January, 2015.

P.C. :

1 This miscellaneous civil application filed under Section 24 of Code of Civil Procedure (CPC) by the wife is for transfer of Hindu Marriage Petition No.335 of 2014 filed by the respondent husband, from the court of Civil Judge, Senior Division, Kalyan to the Family court at Nashik Road, Nashik.

2 The two grounds stated in the application to justify transfer are (i) the personal inconvenience of the wife to take the

travel from Nashik to Kalyan and (ii) financial incapacity. The application is opposed by the respondent.

3 As regards financial incapacity, the applicant can always apply to the concerned court for direction to the respondent husband to pay the travel expenses to her. Personal inconvenience for travelling just by itself cannot be a ground for transfer of the proceedings from the court which has jurisdiction to entertain and try the same. Transfer can be directed only in compelling circumstances. No compelling circumstance or any special personal inconvenience has been averred in the application. Hence, the application is dismissed.

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