

JPP

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

MISC. CIVIL APPLICATION NO. 174 OF 2015

Smt. Archana Santosh Kharade. ... Applicant.

V/s.

Santosh Appasaheb Kharade. ... Respondent.

Ms. N.R. Rane i/b. Nitin Deshpande for the Applicant.

Mr. N.J. Patil i/b. Amey Patil for the Respondent.

CORAM : N.M. JAMDAR, J.

DATE : 28 MARCH, 2016.

P.C. :-

By this Misc. Civil Application the Applicant – Original Defendant seeks transfer of HMP No. 125 of 2011 from the Civil Judge, Senior Division, Ichalkaranji to Family Court at Pune. The Applicant is a wife. The proceedings are filed by the Respondent for divorce. The application is filed on 22 July 2015. When the application came up on board on 8 March 2016, the learned Counsel for the Respondent had made a statement that the evidence in the proceedings is substantially over and the matter was adjourned for the applicant to take instructions.

2. The learned Counsel for the Applicant states that she has no instructions as regard the stage of the proceedings. The learned Counsel for the Respondent has placed on record the certified copies of the depositions which indicate that the case has substantially proceeded. The witnesses have been examined and they have also been cross-examined. At this stage therefore, transfer of the proceedings to Pune will cause hardship to all the parties.

3. Considering the stage of the proceedings at which the trial is, this is not a case where the proceedings need to be transferred to Pune. The Misc. Civil Application is accordingly disposed of.

(N.M. JAMDAR, J.)