

3. This Court has already granted ad-interim stay of the proceedings as far back as on 9<sup>th</sup> May 2013 and since then the ad-interim

order is in force till today. No affidavit-in-reply is filed by the respondent though served. Maintenance being paid to all the three applicants as on today is only Rs.5,500/- per month.

4. I have perused the miscellaneous civil application and heard the learned counsel appearing for the applicants at length.

5. The applicant no.1 along with her children are already staying with her parents since 2008 onwards at Nashik. The applicant no.1 has made out a case for transfer of the Marriage Petition No.20 of 2012 filed by the respondent.

6. The Supreme Court as well as this Court in catena of decisions has taken a consistent view that while considering the application under section 24 of the Code of Civil Procedure, 1908, the Court has to consider the convenience of the wife in addition to the other related factors.

7. Miscellaneous civil application is made absolute in terms of prayer clause (b). Learned Civil Judge, Senior Division, Palghar, Thane is directed to transmit the record and proceedings of the Marriage Petition No.20 of 2012 to the Family Court, Nashik Road, Nashik expeditiously. Hearing of the marriage petition is expedited. Both the parties are directed to appear before the Family Court, Nashik Road, Nashik on 24<sup>th</sup> March 2016 for further directions. If there are any arrears of maintenance not paid by the respondent to the applicants, the respondent shall pay the same to the applicants expeditiously.

***R.D. DHANUKA, J.***