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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.297 OF 2015

Anjali A. Nanaware	...Applicant
V/s.	
Atul D. Nanaware	...Respondent

Mr.Sailesh Chavan for the Applicant.

None for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 26TH OCTOBER, 2016.

P.C. :-

1. Learned counsel appearing for the applicant states that the respondent has been served. None appears for the respondent, though served. No affidavit in reply has been filed.
2. By this Miscellaneous Civil Application the applicant seeks transfer of Hindu Marriage Petition No.334 of 2015 filed by the respondent before the learned Civil Judge, Senior Division, Shivajinagar at Pune to the Court of the learned Civil Judge, Senior Division, Satara.
3. The applicant was married with the respondent on 20th May, 2011 at Satara. Dispute arose between the parties. The applicant has been staying with her father at village Valuth, Taluka

Jaoli, District Satara since October, 2012.

4. The applicant is not keeping good health. The father of the applicant has retired and cannot accompany the applicant for attending the proceedings filed by the respondent at Shivajinagar, Pune.

5. The applicant has also filed the proceedings under section 9 of the Hindu Marriage Act bearing Hindu Marriage Application No.406 of 2015 against the respondent, which is pending before the Civil Judge, Senior Division, Satara. The respondent has been attending the said proceedings.

6. It is submitted by the learned counsel for the applicant that the applicant is not able to travel from village Valuth, Taluka Jaoli, District Satara to Shivajinagar, Pune. He submits that the distance between the residence of the applicant's father to Pune Court is about 130 K.M.

7. The submissions made in the miscellaneous civil application are accepted. For the reasons recorded in the miscellaneous civil application, I am inclined to accept the submissions made by the applicant. The applicant has made out a case for transfer of the proceedings filed by the respondent at Pune Court to Satara Court.

8. I therefore, pass the following order :-

- a). Miscellaneous Civil Application is made absolute in terms of prayer clause (a). Learned Civil Judge, Senior Division, Shivajinagar, Pune is directed to transmit the papers and proceedings in Hindu Marriage Petition No.224 of 2015 to the Court of learned Civil Judge, Senior Division, Satara expeditiously.
- b). The parties as well as the Courts mentioned in prayer clause (a) of the Miscellaneous Civil Application to act on the authenticated copy of this order.
- c). Both the parties are directed to appear before the learned Civil Judge, Senior Division, Satara on 21st November, 2016.
9. Miscellaneous Civil Application is accordingly disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)