

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

MISC. CIVIL APPLICATION NO.33 OF 2017

Vaishali Deepak Doke	...	Applicant
versus		
Deepak Suresh Doke	...	Respondent

Ms. Chaitrali Deshmukh, for Applicant.
Mr. Deepak Doke, Respondent present in person.

CORAM: S.J. KATHAWALLA, J.

DATE: 9th JUNE, 2017

P.C.:

1. The above Misc. Civil Application is filed by the Applicant wife to transfer the Hindu Marriage Petition No.157 of 2016 pending before the Civil Judge, Senior Division, Khed (Rajgurunagar) to the Family Court, at Nashik Road.
2. The parties were married in the year 2009 and are separated since the year 2015. The Respondent is admittedly working with Siemens Limited as an Electrical Engineer at Mumbai and earns a salary of Rs.75,000/- per month. The Applicant is unemployed and resides at Nashik with her two younger brothers. The Applicant has filed a Petition No.A-83 of 2016 for restitution of conjugal rights before the Family Court at Nashik, which the Respondent is already defending.
3. The learned Advocate for the Applicant states on instructions that to cover the distance between Nashik and Khed (Rajgurunagar), it takes around 7 hours and

the Applicant is unable to travel such long distance on her own.

4. The Respondent has pointed out that to cover the distance of 165 kilometers from Nashik to Khed (Rajgurunagar), it would take 3 to 3.5 hours and not 7 hours.

5. Even if the Respondent is correct in his submission, the same would entail a travel of approximately 7 hours (to and fro). If the divorce proceedings are before the Family Court at Nashik, the Respondent admittedly being employed at Mumbai, can instead of travelling from Mumbai to Khed (Rajgurunagar), can travel from Mumbai to Nashik.

6. In any event, the Respondent now states that he has no objection if the Hindu Marriage Petition No.157 of 2016 pending before the Court of Civil Judge, Sr. Division, Khed (Rajgurunagar) is transferred to the Family Court at Nashik Road. In view thereof, the following order is passed :

(i) The Hindu Marriage Petition No.157 of 2016 filed by the Respondent before the Civil Judge, Sr. Division, Khed (Rajgurunagar) is transferred to the Family Court at Nashik Road.

(ii) The above Misc. Civil Application is accordingly disposed of.

(S.J.KATHAWALLA,J.)