

Sangli. The Applicant submits that she has serious apprehension that if she goes to Kolhapur to attend the divorce petition filed by the Respondent, physical harm is likely to be caused to her by the Respondent. It is submitted that the Respondent is financially strong and has powerful connections including with criminal elements.

3 In reply, it is submitted by learned Counsel for the Respondent that miscellaneous criminal application filed by the Applicant before the Court of J.M.F.C. at Sangli has been disposed of and there is no pending matter between the parties at Sangli. It is submitted that on the basis of a mere apprehension, this court cannot order transfer of proceedings from one Court to another.

4 It is an admitted position that miscellaneous criminal application was finally heard by the Court of J.M.F.C. At Sangli and resulted into an order directing the Respondent to pay maintenance to the Applicant. It is also an admitted position that arrears of maintenance of over Rs.3 Lakhs are not paid by the Respondent to the Applicant, despite the order of the Court of J.M.F.C., Sangli.

5 On these facts and considering the serious apprehensions voiced by the Applicant, which are vindicated by orders passed by the Court of J.M.F.C. at Sangli in favour of the Applicant, it is in the interest of justice that the pending divorce petition should be transferred to the Court of Civil Judge, Senior Division at Sangli.

6 Accordingly, miscellaneous civil application is allowed in terms of prayer clause-(b).

(S.C. GUPTE, J.)