

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC.CIVIL APPLICATION NO.257 OF 2017

... Mrs.Ashiwini @ Radhika Abhijit Dadas v/s. Mr.Abhijit Akram Dadas	...Applicant ...Respondent
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Mr.Shriram S.Chaudhari for the Applicant.
 Mr.Rushikesh C.Barge for the Respondent.

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CORAM : A.A. SAYED J.
DATED : 17 NOVEMBER 2017

P.C.:

This Misc. Civil Application is filed under section 24 of the Code of Civil Procedure, 1908 by the Applicant-wife for transfer of the proceedings for divorce bearing H.M.P. No.297 of 2017 filed by the Respondent-husband before the Civil Judge, Senior Division, Satara, to the Civil Judge, Senior Division, Pune.

2. The parties were married on 26 January 2015 as per the Hindu religious rites at Phaltan, District Satara. Their matrimonial home was at Mumbai. Due to marital discord the Appellant-wife has left Mumbai and is now staying at Pune with her parents. The Applicant has stated in the Misc.Civil Application that she is a lady and unable to travel to Satara Court which is about 125 kms away from Pune and she is employed in Pune. The Applicant has averred that it is only to harass her that the Respondent-

husband has filed the proceedings in Satara Court, though none of the parties resides there.

3. It is an admitted position before the Court that the Respondent-husband is residing in Mumbai and none of the parties are residing in Satara. In these circumstances, in my view, the Applicant being a lady employed in Pune, has made out a case to allow the Application. Hence, the Misc.Civil Application is allowed in terms of prayer clause (a), which reads as under:

“a) This Hon'ble Court be pleased to transfer the proceeding bearing H.M.P. No.297/2017 filed by the Respondent which is pending before the Civil Judge, Senior Division, Satara, to the Civil Judge, Senior Division, Pune.”

4. The proceedings in H.M.P.No.297/2017 pending before the Civil Judge, Senior Division, Satara be transferred to the Civil Judge, Senior Division, Pune at the earliest. The parties to appear before the Civil Judge, Senior Division, Pune, on 21 December 2017 and produce a copy of this order before the Civil Judge, Senior Division, Pune.

5. The Misc.Civil Application to stand disposed of accordingly.

(A.A.SAYED, J.)