

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.281 OF 2017

Mrs. Bhakti Manik Mhatre

...Applicant

Versus

Mr. Manik Dadu Mhatre

...Respondent

Mr. Kuldeep S. Patil for the Applicant.

Mr. Kishor S. Patil for the Respondent.

CORAM : A. A. SAYED, J.

DATE : 3 NOVEMBER, 2017

P. C.:

1. This is an Application by the Applicant-wife to transfer the proceedings being Hindu Marriage Petition No.253/2016 filed by the Respondent-husband pending before the Family Court Judge at Thane. The Applicant seeks transfer of these proceedings to the Court of Civil Judge, Senior Division, Vasai, Dist. Palghar. The wife is presently staying at district Palghar with her minor son, who is five years of age.

2. The learned counsel for the Applicant-wife submits that the Applicant-wife is not earning and the minor son who is five years of age is in her custody and it is inconvenient for her to travel from Palghar to Thane, which is distance of about 40 km.

3. Having regard to the facts and circumstances of the case and particularly, since the Applicant-wife is not earning and is required to look after her minor five year old son, I am of the view that this is a fit case to allow the Application in terms of prayer Clause (A) which reads as follows:

(A). That this Hon'ble Court be pleased to direct to transfer the proceedings in Hindu Marriage Petition No.253 of 2016 presently pending on the file of the learned Family Court Judge, at Thane to the Court of Ld. Civil Judge, Senior Division, Vasai, Dist: Palghar.

4. The Misc. Civil Application is disposed of accordingly. No orders as to costs.

[A. A. SAYED, J.]