

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

MISC. CIVIL APPLICATION NO.12 OF 2017

Mrs. Vrushali Rajendra Pakhare V/s.	...	Applicant
Mr. Rajendra Bapurao Pakhare	...	Respondent

Ms. Leena Patil for the Applicant.
Mr. Amitkumar D. Sale for the Respondent.

**CORAM : NITIN W. SAMBRE, J.
DATED : DECEMBER 8, 2017.**

P.C. :

1. The Applicant-wife is seeking transfer of the proceedings, pursuant to the prayer clause (a) to the Application, from the Court of Civil Judge Senior Division, Thane to Civil Judge Senior Division, Sangli. The Applicant claims that the distance between these two places is more than 500 km. one way.

2. The Applicant is claimed to be custodian of a daughter and has placed on record medical certificates depicting that she is suffering from certain orthopedic problem. The claim is opposed by the learned counsel for the Respondent. The Respondent

through his counsel gave an offer of bearing expenses of Rs.1,500/- per date, provided the Applicant to attend the court proceedings. According to him, the relatives of Applicant are also residing in Mumbai.

3. Be that as it may, considering the hardship and convenience of the Applicant particularly when she is custodian of a daughter, and having regard to her orthopedic ailment, looking to the fact that the distance between two places is more than 500 km. one way, it will be appropriate to allow the application. There is one more reason for allowing the application, as the amount of conveyance as is offered by the Non-Applicant i.e. Rs.1,500/- is not reasonable at all, as the Applicant will be required to travel alongwith one companion. In the wake of the above, the Civil Application stands allowed in terms of prayed clause (a).

4. At the joint request of the parties, it is ordered that the execution proceedings arising out of the maintenance order passed under Section 125 of the code of Cr.P.C. and the present proceedings which are ordered to be proceeded be posted on

the same date so that the parties will be put to convenience in attending the court.

(NITIN W. SAMBRE, J.)

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