

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

MISC. CIVIL APPLICATION NO.24 OF 2017

Sou. Sneha Digambar Gosavi	...	Applicant
V/s.		
Shri Digambar Kailas Gosavi	...	Respondent

Mr.Sumit V. Khair for the Applicant.
Mr.Feroz Ansari (Appointed by Legal Aid Committee) for the Respondent.

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

P.C. :

. The prayer for transfer of the proceedings is made by the Applicant-wife in terms of prayer clause (a) from Bandra Court to Baramati Court. The learned counsel for the Applicant submits that the distance between these two places is 350 km. one-way, and the Applicant is living with her aged father, who is unable to travel as a companion on each date of proceedings. According to him, the hardship of the Applicant who is employed, is required to be appreciated.

2. Per contra, the learned counsel for the Respondent upon instructions submits that he is ready and willing to bear the travel expenses of the Applicant with one companion. He claims to be a public servant, hence submit that it is difficult for him to proceed on leave on each date of the proceedings to travel to Baramati.

3. Having considered the rival submissions, in my opinion in the interest of justice, the following order can be passed:-

ORDER

1. The Non-Applicant, public servant working with Railway Police Department shall deposit Rs.6,000/- within six weeks from the date of passing of the order in the proceedings-Hindu Marriage Petition No.A2704 of 2016 pending on the file of Family Court, Mumbai at Bandra, out of which amount of Rs.3,000/- be paid to the Applicant-wife on each date towards travel and out of that expenses for herself and one companion, provided the Applicant personally attend the proceedings.

2. The Non-Applicant shall continue to deposit an amount of Rs.3,000/- thereafter on each date of the proceedings to which the Applicant will be entitled

to.

3. If applicant committing single default in depositing the amount, it be deemed to have been ordered that the Application stood allowed in terms of prayer clause (a) without further reference to this court.

4. The Misc. Civil Application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)

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