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

MISC. CIVIL APPLICATION NO.2 OF 2018

Monica Rohit Balekar ... Applicant.
V/s.
Rohit Shripad Balekar, ... Respondent
Ms. Megha S. Bajoria, for the applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 18th JULY, 2018.

P.C. :

- 1] Heard learned counsel for the applicant.
- 2] Respondent absent though duly served with notice issued through Court and also by private service.
- 3] This application is filed under Section 24 of the Code of Civil Procedure, for transfer of H.M.P. No.80 of 2017, pending on the file of Family Court at Kolhapur to Family Court at Thane.
- 4] Applicant is the wife of respondent. She is residing at Kalyan, District: Thane. She had already filed Misc. Application No.34 of 2015 under Section 125 of Code of Criminal Procedure against respondent in the Court of Judicial Magistrate First Class, at Kalyan. She has also filed Criminal Complaint No.54 of 2015, against respondent and his family members under the Protection of Women

from Domestic Violence Act, 2005, in the Court at Kalyan. Therefore, according to applicant though respondent is residing at Kolhapur, he is very much attending the Court at Kalyan. She is finding it difficult to attend the Court at Kolhapur. The distance between Kalyan and Kolhapur is approximately 350 Kms one way.

5] In view of the inconvenience and difficulties which the applicant wife is facing to attend H.M.P No.80 of 2017 filed by respondent for divorce in the Family Court at Kolhapur, it has become necessary to transfer the said proceeding to the Family Court at Thane, so that she can effectively prosecute the same.

6] In view thereof, application is allowed.

7] H.M.P. No.80 of 2017, pending on the file of Family Court at Kolhapur is transferred to the Family Court at Thane.

[DR.SHALINI PHANSALKAR-JOSHI, J.]