

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

MISCELLANEOUS CIVIL APPLICATION st. NO.6207 OF 2018

Yamuna Ravindrakumar Khode ... Applicant

Vs.

Ravindrakumar Madhav Khode ... Respondent

Mr.Nitesh V. Bhutekar for the Applicant
Mr.R.G. Patil, for Respondent

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: APRIL 12, 2018**

P.C. :

1. Pursuant to the order of this Court dated 5.4.2018, the report from I/c. Principal District & Sessions Court, Washim dated 10.4.2018, is received. By this report, the learned I/c. Principal District & Sessions Court, Washim, has informed that the Joint Civil Judge Senior Division, Washim is holding the charge of Chief Judicial Magistrate at Washim and dealing with the criminal matters of Chief Judicial Magistrate at Washim and the Court of 2nd Joint Civil Judge Senior Division, Washim is dealing with civil matters and the criminal side part-heard matters while he was the then Chief Judicial Magistrate at Washim being Additional Chief Judicial Magistrate at Washim.

2. This Miscellaneous Civil Application filed under section 24 of the Civil Procedure Code is moved by the applicant/wife for transfer of Marriage Petition No.1155 of 2017 from the court of learned Civil Judge Senior Division, Kalyan to the learned Civil Judge Senior Division at Washim.

3. The learned Counsel for the applicant/wife has filed two criminal cases – one under section 125 of the Criminal Procedure Code bearing No.361 of 2017, which is pending before the learned Judicial Magistrate First Class, Washim; another criminal case No.59 of 2017 under sections 12, 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 in the Court of the learned Judicial Magistrate First Class, Washim. The learned Counsel for the applicant submits that the wife is not working and it is not possible for her to attend the case at Kalyan Court, which is more than 500 kms away from Washim. He further submits that the applicant has nobody at Kalyan to stay. Under such circumstances, the petition at the Court at Kalyan be transferred to the Court at Washim.

4. Learned Counsel for the respondent/husband opposes the

application and submits that it is not convenient for the husband

(MRIDULA BHATKAR, J.)