

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

MISC. CIVIL APPLICATION NO.241 OF 2018

Nikita Hitendra Ahuja

.. Applicant

vs

Hitendra Ahuja

... Respondent

Ms.Kavita Shinde I.b Mr.A.B.Tajane for Applicant

Coram : A.M.DHAHALE, J

Date : 19th OCTOBER, 2018

P.C

Heard Ms.Shinde for the applicant.

2. The applicant seeks transfer of HMP No.374 of 2017 filed by her in Wardha Court to Pune Court,. The husband inspite of service has not filed appearance and the pleadings remained uncontroverted The wife is residing alongwith children at Pune. She has no source of income. There is nobody to accompany her from Pune to Wardha and the distance from Pune to Wardha is too long. As held in **Sumita Singh's case AIR 2002 SUPREME COURT 396** in matrimonial matters, convenience of the wife should be looked at.

3. In the light of the un-controverted facts, application is allowed under section 24 of the CPC.
4. HMP No.374 of 2017 is transferred from the Court of Civil Judge, Senior Division, Wardha to the Family Court, Pune.
5. The Superintendent, Wardha Court shall transmit the record to the Family Court, Pune at the earliest.
6. Both the parties shall remain present in Family Court, Pune on 1.11.2018. The applicant to inform the other side about this order and the date for appearance in Pune Court.

The application stands disposed of.

(A.M.DHAVAL, J)