

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 265 OF 2017

Rama Rushikesh Barbhai

...Applicant

Versus

Rushikesh Shivdas Barbhai

...Respondent

.....

Mr. V.S.Talkute for the Applicant.

Mr.Kuldeep Nikam for the Respondent.

.....

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **APRIL 03, 2018**

P.C.:

1. The learned Counsel for the applicant submits that the respondent/husband has filed Marriage Petition in the Court of Civil Judge, Senior Division, Pune bearing no.401 of 2014. The applicant/wife seeks transfer of the said Petition to the Court of Civil Judge, Senior Division, Satara under Section 24 of the Code of Civil Procedure.

2. The learned Counsel for the applicant submits that the applicant is staying at Satara. The applicant has filed Criminal Misc. Application No. 223 of 2017 before the Chief Judicial Magistrate, Satara under Section 12 of the Protection of Women from Domestic Violence Act. The respondent/ husband is residing at Jejuri so the distance between Jejuri to Pune is 50 km. If the matter is transferred from Pune to Satara, then the respondent will have to travel only 70 km. He further submits that the leg of the applicant is fractured, and therefore, she is unable to travel.

3. The learned Counsel for the respondent opposes this Application.

4. Heard submissions. Read Application for transfer. No sufficient ground is made out to transfer the Marriage Petition No. 401 of 2014 from the Court of Civil Judge, Senior Division, Pune to the Court of Civil Judge, Senior Division, Satara. Considering the physical difficulty of the applicant, the Civil Judge, Senior Division, Pune is requested to keep the matter in the month of July, 2018. Thereafter, the trial Court to expedite the matter preferably till

December 2018, as the Marriage Petition is pending since 2014.

5. With this, Miscellaneous Civil Application is disposed of.

(MRIDULA BHATKAR, J.)