

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

MISC. CIVIL APPLICATION NO. 57 OF 2018

Pratibha Praphull Valvi	...	Applicant
V/s.		
Praphull Karma Valvi	...	Respondent

- Mr.Satyajeet P. Dighe for the Applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 8th AUGUST, 2018.

P.C. :

1] This is an application filed under Section 24 of the Civil Procedure Code, 1908, for transferring the Petition bearing H.M.P. No.126 of 2017 pending on the file of the Civil Judge, Senior Division, Malegaon to the Family Court, Nashik, to be tried along with Petition No.E-280 of 2016 pending there.

2] The Applicant is the wife who is residing at Nashik. The distance between Nashik and Malegaon is about 100 kms. She is having 4 years old minor child and therefore finding it difficult to attend the Court at Malegaon. Further it is submitted that the Respondent is also employed at Mumbai and therefore, he will also

find it convenient to attend the Court at Nashik instead of Malegaon.

3] Respondent is though duly served with notice, has failed to remain present on the last date and today also.

4] In view thereof, considering the convenience of the Applicant and the minor child and also having regards to the fact that the Petition No.E-280 of 2016 filed by the Applicant is pending before the Family Court, Nashik, this Application is allowed and following order is passed.

(a) H.M.P. No. 126 of 2017 filed by the Respondent and pending on the file of the Civil Judge, Senior Division, Malegaon is transferred to the Family Court, Nashik.

(b) The Civil Judge, Senior Division, Malegaon is directed to transfer the 'Record and Proceedings' of H.M.P. No.126 of 2017 to the Family Court, Nashik, forthwith.

(c) Registry to inform the concerned Courts accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]