

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 332 OF 2017

Sou. Reshma Prashant Gaikwad ... Applicant

vs.

Prashant Manohar Gaikwad ... Respondent

Mr. Shrishail Sakhare, Advocate for the applicant.

Mr. Rushikesh G. Patil, Advocate for the respondent.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 2nd April, 2018.

P.C.:

This Application is moved by the applicant/wife for transfer of Marriage Petition No. 503 of 2017 for Divorce from Family Court, Pune to Family Court, Solapur.

2. The learned counsel for the applicant/wife submitted that applicant/wife has filed Maintenance Application under section 23 of the Domestic Violence Act bearing No. 1229 of 2016 before J.M.F.C., Solapur. The applicant/wife is taking care of 5 years old daughter of the couple. The applicant is housewife and has no other source of income, therefore, it is not physically and practically possible for her to attend the Court dates along the child at Family Court, Pune. Hence, the learned counsel prays that Marriage Petition No. 503 of 2017, which is pending before Family Court, Pune be transferred to

Family Court, Solapur.

3. The learned counsel for the respondent/husband opposed the Application. However, considering the issue of minor daughter, submits to the order of this Court.

4. Considering the responsibility of the wife towards the minor girl child who is 5 years old, I am of the view that Marriage Petition No. 503 of 2017 filed by the respondent/husband, which is pending before the Family Court, Pune is hereby transferred to the Family Court, Solapur along with Maintenance Application No. 1229 of 2016 filed by the applicant/wife before Judicial Magistrate First Class, Solapur. The matters are to be placed before the Family Court, Solapur on 21st April, 2018.

5. Miscellaneous Civil Application is disposed of.

(MRIDULA BHATKAR, J.)