

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

MISC. CIVIL APPLICATION NO. 343 OF 2017

Mrs. Tejashree Nitin Kadam	...	Applicant
V/s.		
Mr. Nitin Chandrakant Kadam	...	Respondent

- Ms. Rekha Musale i/b. Mr. Rajesh A. More for the Applicant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 25th JULY, 2018.

P.C. :

1] Heard learned counsel for the Applicant. Respondent is absent though duly served with Court notice and also by private notice.

2] This is an application filed under Section 24 of the Code of Civil Procedure for transfer of the Marriage Petition No. 332 of 2017 pending on the file of the Civil Judge, Senior Division, Thane to the Family Court at Pune. The said petition is filed by the Respondent for '*dissolution of marriage*' under Section 13(1)(i-a) of the Hindu Marriage Act, 1955.

3] The case of the Applicant is that she is residing at Pune. She is having two minor children, who are residing with her and

hence, she is finding it difficult to attend the Court at Thane.

4] It is also pointed out by learned counsel for the Applicant that in Marriage Petition No.332 of 2017, the Respondent has shown his permanent address at Pune and therefore, he is very much residing at Pune also. Therefore, he will not face any difficulty if the said petition is transferred to the Family Court at Pune.

5] In view thereof, considering the inconvenience and the difficulty which the Applicant is facing in order to attend the proceeding in the Court at Thane and having regard to the fact that the Respondent is also the permanent resident of Pune, as mentioned in his own petition, in the interest of justice, this application is allowed and following order is passed.

- (a) *Marriage Petition No.332 of 2017 pending on the file of the Civil Judge, Senior Division, Thane, is transferred to the Family Court at Pune.*
- (b) *The Civil Judge, Senior Division, Thane, is directed to transfer the record and proceeding of Marriage Petition No.332 of 2017 to the Family Court, Thane, immediately.*
- (c) *Registry to inform the concerned Courts accordingly.*

[DR.SHALINI PHANSALKAR-JOSHI, J.]