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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC.CIVIL APPLICATION NO. 296 OF 2018

Sou.Diksha Madhav Athavale	...Applicant
vs.	
Madhav Kisanrao Athavale	...Respondent

Mr.S.B.Patil for the Applicant

CORAM : M.S.KARNIK, J.
DATE : OCTOBER 10, 2019

P.C.:

1 Heard the learned counsel for the applicant. None appears for the respondent though he has been duly served and affidavit of service has been filed.

2 This is an application filed by the wife for transfer of the proceedings of Divorce Petition No.654 of 2017 pending before the Family Court at Pune to Family Court at Nanded. The husband has filed divorce petition for dissolution of marriage. The applicant-wife has also filed Hindu Marriage Petition No.101 of 2017 in the Family Court at Nanded for restitution of conjugal rights. The wife has also filed the proceedings under the Protection of Women from Domestic Violence Act,2005.

3 The learned counsel for the applicant submits that the wife is residing with her parents and she has no source of income. The learned counsel for the applicant submits that distance between Nanded to Pune is almost 500 k.m and it is very inconvenient for her to travel to Pune for attending the proceedings. The husband has not appeared despite service of

notice to contest this application.

4 Considering the fact that divorce petition is filed by the husband at Pune and wife is residing with her parents at Nanded, the distance of which is 500 k.m, much inconvenience would be caused to the applicant-wife for attending the proceedings at Pune. Moreover, the applicant has also filed the proceedings for restitution of conjugal rights and under the Domestic Violence Act at Nanded. The applicant-wife is dependant on her parents.

5 Taking into consideration all these circumstances, Misc. Civil Application deserves to be allowed and accordingly allowed in terms of prayer clause (a).

(M.S.KARNIK,J.)