

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

MISC. CIVIL APPLICATION STAMP NO. 6759 OF 2018

Pradnya Rupesh Naik	... Applicant
Versus	
Rupesh Girish Naik	... Respondent
.....	
Mr. Niranjana Kulkarni i/b Vijay Gundecha for the Applicant.	
.....	

CORAM : SANDEEP K. SHINDE, J.
DATE : 6th MARCH, 2019.

P. C.:

1. Bailiff report shows that the respondent was served in November, 2018. The applicant has also served the respondent and affidavit of service is filed.
2. Heard learned Counsel for the applicant.
3. It is an application under Section 24 of the Code of Civil Procedure, 1908 filed by the wife, seeking transfer of Marriage Petition No.A-794 of 2017 filed by husband in the Family Court No.1 at Pune to the Family Court at Ahmednagar.
4. The applicant is seeking transfer of Marriage Petition on the following three grounds.

- (i) The applicant's son Chaitanya Kumawat, is suffering from Cerebral Palsy with Spastic Diaplegia and Civil Surgeon has issued a disability certificate stating the above condition is permanent, non-progressive and not likely to improve. Chaitanya is living with his mother at Ahmednagar.
- (ii) Distance between Pune and Ahmednagar is about 260 kms. to and fro and attending the Family Court at Pune will cause inconvenience to the applicant.
- (iii) The respondent has filed revision in the Sessions Court at Ahmednagar against the order of maintenance passed in favour of the applicant and he attends the Court at Ahmednagar.

5. Thus, taking into consideration the facts above, the application deserves to be allowed. Hence, I pass the following order:

ORDER

- (a) The learned Judge, Family Court No.1, Pune is directed to transfer the papers and proceedings in Marriage Petition No.A-794 of 2017 to the Family Court at Ahmednagar.
- (b) The parties as well as the learned Judge, Family Court at Pune to act on an authenticated copy of this order.

- (c) Both the parties are directed to appear before the learned Judge, Family Court at Ahmednagar on 23rd April, 2019 at 11.00 a.m.
- (d) The Miscellaneous Civil Application is allowed in above terms and disposed of.

(SANDEEP K. SHINDE, J.)