

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Misc. Civil Application No.264/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Ms. Manasi Bandiwadekar I/b. Samir Sarombalkar for the Applicant

CORAM: K.K.TATED, J.
DATED : SEPTEMBER 4, 2019

P.C.

1 Pursuant to the praecipe filed by the learned counsel for the Applicant, the matter is taken on production board.

2 By this Application under section 24 of the Code of Civil Procedure, 1908 the Applicant wife is seeking transfer of HMP No.300/2018 filed by the Respondent husband before the Family Court, Thane to Family Court, Bandra for hearing and final disposal on merits.

3 The learned counsel for the Applicant submits that earlier the Applicant has filed petition No.C-706/2015 against Respondent No.1 before Family Court, Bandra for maintenance u/s.18 of the Hindu Adoption and Maintenance Act. She

submits that the said application was decided by the Family Court, Bandra by oral judgment dated 02.02.2017 holding that the Respondent husband to pay maintenance @ Rs.3000/- pm to the Applicant w.e.f. the date of the decree. She submits that as the Respondent has failed and neglected to pay maintenance, she has filed Execution Application before the Family Court, Bandra, Mumbai which is pending.

4 The learned counsel for the Applicant submits that it is very difficult for the Applicant to attend the Family Court, Thane. She submits that in the interest of justice, this Hon'ble Court be pleased to transfer the Petition No.A-300/2018 filed by the Respondent husband at Family Court, Thane to Family Court, Bandra, Mumbai for hearing and final disposal on merits.

5 It is to be noted that the Applicant is residing at Nahur (W), Mumbai - 400078. The distance between Nahur and Thane is not more than 15 km. In fact, to reach Thane is more easier than to reach Family Court at Bandra.

6 Considering these facts, I do not find any substance in the Misc. Civil Application. Hence, following order is passed:

a. The Misc. Civil Application stands dismissed.

b. No order as to costs.

(K.K.TATED, J.)