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

MISC. CIVIL APPLICATION NO. 159 OF 2018

Prabhavati Sureshkumar Jaiswar ..Applicant
vs.
Suresh Kumar Ahibaran Jaiswar ..Respondent

....
Shri P.D. Prasad Rao i/b. Devika M. Purav for applicant.
Mr. Gauresh Khanalekar for respondent.

....
CORAM : M.S.KARNIK, J.

DATE : 15th OCTOBER, 2019

P.C. :

Heard learned counsel for the applicant wife and
learned counsel for the respondent husband.

2. This is an application for transfer of the Hindu Marriage Petition filed by the husband under Section 13 (1) (ia) (ib) of the Hindu Marriage Act, 1955 from the Court at Kalyan to Family Court at Bandra. It is not in dispute that the applicant is residing at Malad along with her three brothers. It is her case that she has to look after her children and moreover she is not keeping good health. It is therefore not possible for her to travel

Kalyan and instead it will be more convenient for her to attend the Family Court at Bandra.

3. The matrimonial proceedings filed by the husband are pending before the Civil Judge Senior Division at Kalyan since 2011. It is informed that the respondent husband has also filed his affidavit of evidence. In any case as the applicant is willing to travel from Malad to Bandra, there can be no inconvenience caused to her if she travels from Malad to Kalyan instead. There are adequate means of transport facilities available to travel between Malad and Kalyan. Notice can be taken of the fact that Kalyan and Malad are now well connected with adequate means of transport. Thousands of people travel to and fro daily. Malad is not at all far away from Kalyan so as to cause any inconvenience to the applicant.

4. In this view of the matter, I see no reason to transfer the matrimonial proceedings. I am however inclined to ensure that the expenses of the applicant for travelling from Malad to Kalyan are well taken care of by the respondent.

5. The respondent husband is therefore directed to pay to the applicant a sum of Rs.1200/- for each date when the applicant wife appears before the Court at Kalyan to cover her travelling and miscellaneous expenses

6. Subject to above the Petition is rejected.

(M.S.KARNIK, J.)

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