

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION (MCA) NO. 847 OF 2019

(Neha Amardeep Lote vs. Amardeep Ramesh Lote)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mrs. T.A. Daga, Advocate for the applicant.
Shri D.C. Chahande, Advocate for the non-applicant.

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CORAM : PUSHPA V. GANEDIWALA, J.
NOVEMBER 13, 2019.

Heard.

This is an application under Section 24 of the Civil Procedure Code, 1908, filed by the applicant - wife against the non-applicant – husband, for transfer of Hindu Marriage Petition No. A-1551 of 2018, which is pending before the Court of 4th Joint Civil Judge, Senior Division, Pune to Family Court, Nagpur.

I have perused the application and the reply filed on behalf of the non-applicant.

It is stated in the application that the marriage between the parties was solemnized on 05.06.2017 in Nagpur. After marriage, she and her husband shifted to Pune and within a few days of their matrimonial relation discord between the

parties occurred and she had to leave Pune. It is further submitted that the distance between Pune and Nagpur is about 710 kms. and the applicant is finding it difficult to travel to Pune to attend the case.

The learned counsel for the applicant relied on the judgment of this Court in the case of Poonam Manish Lath vs. Manish Kashiprasad Lath, reported at 2017 (3) Mh. L.J. 422 in support of her submissions.

The non-applicant opposed the application and filed affidavit in reply. The learned counsel for the non-applicant could not point out any hardship which would be suffered by him in travelling from Pune to Nagpur.

In the judgment in the case of *Poonam Manish Lath vs. Manish Kashiprasad Lath*, (supra), it is well settled that the convenience of the wife is to be seen.

In the circumstances, I am inclined to allow the present application and the same is allowed in terms of prayer clause (1) in the application and disposed of accordingly. However, there shall be no order as to costs.

JUDGE