

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO.8 OF 2020

Trupti Dhananjay Wagh .. Applicant

Vs.

Dhananjay Ratnakar Wagh .. Respondent

...

Mr. Dushyant Purekar with Mr. Rajat Dedhia for the Applicant.

Mr. Ganesh Jadhav for the Respondent.

The Applicant and the Respondent are present in the Court.

...

CORAM: SMT. BHARATI DANGRE, J.

DATED : 11TH MARCH, 2020.

P.C:-

1. The Applicant-wife is before this Court seeking transfer of the Marriage Petition No.514 of 2019 from the file of 20th Civil Judge, Senior Division, Pune to the Family Court at Thane. The proceedings are instituted by the Respondent-husband seeking dissolution of marriage under Sections 13(1), (i), (ia) and (ib) of the Hindu Marriage Act, 1955.

2. After hearing the matter for considerable length of time, the parties are at consensus that the proceedings filed by the Respondent-husband seeking divorce and instituted in the Court of Civil Judge, Senior Division, Pune would continue in the same court. However, this comes with a rider. It is the Applicant-wife, who has approached this Court seeking transfer of the said proceedings to the Family Court at Thane. The reasons cited is her ill-health. She has placed on record certain documents to reveal the treatment that she is undergoing which includes the back strengthening exercises and the certificate reflecting certain issues in relation to bleeding.

3. The parties are at consensus and the learned counsel for the Applicant submits that if her expenses are arranged for attending the proceedings at Pune by a comfortable private car and her expenses for the day are catered to, she is ready to continue with the proceedings at Pune. In such circumstances, the Respondent-husband must ensure that she is paid an amount of Rs.7,000/- to cater to her travelling expenses and her day long expenses and the same amount be deposited in the bank account of the Applicant, the details whereof will be submitted forthwith by the learned counsel for the Applicant to the Respondent. The Respondent should further ensure that the amount is deposited, at least, three days before the scheduled date of hearing.

4. Considering the fact that the Applicant has difficulty in travelling to Pune for every date of hearing and the fact that the Respondent has also placed on record his medical certificates reflecting his ailments due to which he expressed his difficulty in attending the proceedings in Thane, the Civil Judge, Senior Division, Pune is requested to expeditiously dispose of the Marriage Petition No.514 of 2019 pending before it and, for enduring its disposal, both the parties are requested to co-operate.

5. Misc. Civil Application is disposed of in the aforesaid terms.

[SMT. BHARATI DANGRE, J.]