

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

MISC. CIVIL APPLICATION NO.03 OF 2021

Sow. Yogita Nilesh Jadhav @
Yogita Madhukar Shinde

Applicant

Versus

Nilesh s/o Kisan Jadhav

Respondent

Mr.M.R.Sonawane, advocate for the applicant.

CORAM : V.K.JADHAV, J.

DATE : 11th February, 2021.

P.C. :

1 Heard. Learned Counsel for the applicant for some time.

2 This is about transfer of matrimonial proceedings from Pune to Jalna. The applicant-wife resides with her aged parents at Jalna. However, the Respondent-husband has filed divorce petition before the Family Court at Pune. The distance between the two places is more than 300 Kms. The learned Counsel submits that there is nobody in the family to accompany the applicant-wife to attend the Court dates at Pune by traveling such a long distance. The learned Counsel submits that it is not

convenient for the applicant-wife to attend the Court dates at Pune.

3 The learned Counsel for the applicant, in order to substantiate his contention, placed reliance on the following citations:

(i) **Vennangot Anuradha Samir Vs.**

Vennangot Mohandas Samir, 2016 (1)

Bom.C.R. 250;

(ii) **Soma Choudhuri Vs. Gourab**

Choudhuri (2004) 13 SCC 462;

(iii) **Anjali Ashok Sadhwani Vs. Ashok**

Kishinchand Sadhwani, AIR 2009 SC 1374;

(iv) **Vaishali Shridhar Jagtap Vs.**

Shridhar Vishwanath Jagtap, 2016 AIR (SC)

3584;

(v) **Sumita Singh Vs. Kumar Sanjay**,

(2001) 10 SCC 41 : AIR 2002 SC 396;

(vi) **Mahadevi Mehtre Vs. Gopal**, 2015 (5)

AIR Bom. 250;

(vii) **Mona Aresh Goel Vs. Aresh Satya**

Goel, 2000 (9) SCC 255 : AIR 2000 SCW 2652;

(viii) **Ravinder Kaur Vs. Hitinder Singh,**

AIR 2000 SC 3403;

(ix) **Rena Gautam Vs. Vinod Gautam,** AIR

2000 SC 3405;

(x) **Reena Mehra Vs. Rohit Rai Mehra,**

AIR 2003 SC 1002;

(xi) **Rakhi Banerjee Vs. Subhankar**

Mukherje, AIR 2009 SC 928;

(xii) **T. Gayatri Devi Vs. Tallepanent**

Sreekanth, 2013 (6) Bom.C.R. 119 (SC);

(xiii) **Anita Balkrishna Barge Vs.**

Balkrishna Sopan Barge, 2011 (3) Bom.C.R.

866 (Aurangabad Bench); and

(xiv) **Smita Dhananjay Patil Vs.**

Dhananjay Krishnakumar Patil, 2013 (5)

Bom.C.R. 694 (Aurangabad Bench).

4 In the cases relied upon by the learned Counsel for the applicant, it is reiterated that in the matrimonial proceedings convenience of the wife is required to be considered.

5 In the instant case, it is not convenient for the applicant wife to attend the Court dates at Pune. Respondent-

husband, though duly served, has not bothered to appear in this Misc. Civil Application to resist it.

6 Thus, considering the entire aspects of the case, I am inclined to allow the instant Misc. Civil Application.

7 Hence, the following order:

Misc. Civil Application is allowed in terms of prayer clause "A".

(V.K.JADHAV)
JUDGE

adb