

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

MISC. CIVIL APPLICATION NO.103 OF 2020

Sow. Pallavi w/o Manojkumar Panchmukh Applicant

Versus

Manojkumar s/o Machhindra Panchmukh Respondent

Mr. S.S.Gangakhedkar, advocate for the applicant.
Mr.Muhammad Aseem, advocate holding for Mr.Harshal P.
Randhir, advocate for the Respondent-sole.

CORAM : V.K.JADHAV, J.

DATE : 04th February, 2021.

PC :

1 This is about transfer of matrimonial proceedings from Family Court at Pune to the Court of Civil Judge, Senior Division, Shrigonda, District Ahmednagar.

2 The applicant-wife resides with her parents at Shrigonda and the Respondent-husband has filed Marriage Petition bearing No.A-645 of 2020 before the Family Court at Pune. It is not possible for the applicant-wife to travel such a long distance to attend the Court dates at Pune. The learned Counsel further submits that in the matrimonial proceedings, convenience of the wife requires to be considered.

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 The learned Counsel for the Respondent-husband submits that distance between Pune and Shrigonda is hardly about 120 Kms. The learned counsel for the Respondent-husband submits that the applicant-wife is a Medical Practitioner and she can travel from Shrigonda to Pune alone. There is no reason to transfer the proceedings from the Family Court at Pune to the Court of Civil Judge, Senior Division, Shrigonda.

5 In the cases relied upon by the learned Counsel for the applicant-wife, it is reiterated by the Hon'ble Supreme Court that in matrimonial proceedings convenience of the wife is required to be considered. In the instant case, though the applicant-wife is a Medical Practitioner, however, it is not convenient for her to travel such a long distance to attend the Court dates at Pune.

6 Thus, considering the ratio laid down by the Hon'ble Supreme Court in the aforesaid cases and considering the convenience of the applicant-wife, Misc. Civil Application is allowed in terms of prayer clause "B" and is disposed of accordingly.

(V.K.JADHAV)
JUDGE

adb