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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 327 OF 2019

Geeta Amitawaghade

....Applicant

V/s.

Amit Ashok Awaghade

.....Respondent

Mr. Arjun S. Pawar for the Applicant

CORAM : NITIN W. SAMBRE, J.

DATE: JULY 6, 2021.

P.C.:

1] Applicant-wife is seeking transfer of Marriage Petition on the ground of hardship. Marriage was solemnized on 24/01/2015 and it is claimed that immediately thereafter she was subjected to cruelty.

2] Prosecution against non applicant for offence punishable under Section 498-A of the Indian Penal Code so also under the provisions of Protection of Women from Domestic Violence Act, 2005 is pending at Phaltan in Satara District which are duly attended by non-

applicant. Prayer for transfer is not objected by the non-applicant by putting his appearance. I am informed that applicant is custodian of 4 year old son. As such, hardship will be caused to the applicant if she is made to travel to Panvel to attend the proceedings initiated by the non-applicant.

3] In that view of the matter, application is allowed in terms of prayer clause (a) which reads thus:

(a) This Hon'ble Court be pleased to transfer the Marriage Petition No. 416 of 2018, filed by the Respondent and pending before the Ld. Civil Judge Senior Division, Panvel at Panvel to Civil Judge Senior Division, Satara at Satara.

[NITIN W. SAMBRE, J.]