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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 98 OF 2020

MS. SHRADHA SHIVAJI GURAV
ALIAS NEE SHRADHA SHIVAJI
DASANHATTI

....APPLICANT

V/s.

MR. SHIVAJI MAHADEV GURAV

....RESPONDENT

Ms. Suvidha R. Patil i/b Patil Associates for the applicant
Mr. Naveen Balaso Khair for the respondent

CORAM : NITIN W. SAMBRE, J.

DATE: AUGUST 30, 2021.

P.C.:

1] On 10/08/2021, this Court has directed the applicant to produce disability certificate on record.

2] Since the applicant is not in a position to produce the same, has made submission before this Court that her prayer for issuance of such certificate is under process. Applicant remained personally present before this Court on the last hearing i.e. on 25/08/2021.

3] Learned counsel for the non-applicant while opposing the prayer for transfer would urge that proceedings are initiated based on the cause of action narrated and the applicant can attend the proceedings at Gadhinglaj, District: Kolhapur.

4] In response to the court's query, learned counsel submits that reasonable amount of travel charges can be borne by the non-applicant.

5] If aforesaid submissions are appreciated, particularly in the backdrop of physical disability of the applicant demonstrated before this Court, it will be appropriate to order transfer of the proceedings as prayed, particularly when this Court is of the view that great hardship will be caused to the applicant, in case if she made to travel from Mumbai to Kolhapur which requires overnight travel.

6] As such, application is allowed in terms of prayer clause (A) which reads thus:

“(A) this Hon’ble court be pleased to transfer the Marriage Petition bearing no. 168/2019 which is pending before Hon’ble Civil Judge Senior Division Gadhinglaj, Kolhapur to Family Court at Bandra, Mumbai”.

[NITIN W. SAMBRE, J.]