

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 169 OF 2021

Gayatri Maheshwar Tagare	.. Applicant
Versus	
Maheshwar Ramesh Tagare	.. Respondent

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Mr.R.N. Kachare for the applicant.
Mr.Shailesh Kharat for the respondent.

CORAM: BHARATI DANGRE, J.
DATED : 16th NOVEMBER, 2021

P.C:-

1 By the present application, the applicant wife who is a Doctor is seeking transfer of Hindu Marriage Petition No.389 of 2021 filed by the husband in the Court of Civil Judge, Sr. Division, Niphad, District Nashik to the Court of Civil Judge, Sr. Division, Kalyan, District Kalyan.

2 Heard learned counsel for the applicant and learned counsel for the respondent.

3 On perusal of the application, in paragraph no.5, it is stated that the applicant is residing at Kalyan and it is not possible

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for her to appear in the Court at Niphad, District Nashik as she will be required to incur expenses for travelling and there is nobody to travel with her to attend the Court proceedings.

This is the only ground set out in the application justifying the transfer of the proceedings to Kalyan in District Thane where the applicant is residing.

4 The respondent himself is a Doctor and the address given is at Kasar Galli, Yeola, District Nashik. He has instituted the proceedings in the Court of Civil Judge, Sr. Division, Niphad invoking the principle of *dominus litus*, he has chosen the said forum. The wife, who is also a Doctor is not expected to have a companion accompanying her when she travels to attend the Court proceedings, as she is not some illiterate lady, not used to taking a travel on her own. As far as expenses incurred by her are concerned, the respondent – husband who is also a Doctor shall arrange for the expenses of the wife, upon submission of the actual bill of expenses in the Court at Civil Judge, Sr. Division, Niphad. Upon every next date when she attend the Court proceedings and respondent shall thereupon pay the expenses to the applicant.

With the aforesaid direction, the Application is disposed of.

SMT. BHARATI DANGRE, J