

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.46 OF 2020

Sou. Vidya Jivan Aawale & Anr. Applicants

Vs.

Shri. Jivan Bhimrao Aawale Respondent

Mr. Sachin K. Hande for Applicants.

Ms. Madhavi Ayyappan i/by Talekar & Associates for Respondent

Coram : NITIN W. SAMBRE, J.

Date : 16th JULY, 2021

P.C.:

1. The applicant-wife has sought transfer of proceedings being Hindu Marriage Petition No. 68 of 2019 from the Court of Civil Judge, Senior Division, Alibag to the Court of Civil Judge, Senior Division, Sangli on the ground of hardship. The applicant No. 2 is daughter of applicant No. 1, who is aged about 5 years.

2. It is not in dispute that D.V. Act proceedings at Sangli are already pending. The distance between these two places requires

overnight travel and the applicant will be required to suffer great hardship apart from the financial liability. As such, the application needs to be allowed.

3. The proceedings being Hindu Marriage Petition No. 68 of 2019, which was pending on the file of Civil Judge, Senior Division, Alibag be transferred to the Court of Civil Judge, Senior Division, Sangli.

4. It is further ordered that both the Courts i.e. Court of Civil Judge, Senior Division, Alibag and the Court of Civil Judge, Senior Division, Sangli shall ensure that the D.V. proceedings and the present proceedings shall be posted on the same date, so as to facilitate the Non-Applicant to attend the proceedings.

5. The Application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)