

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

MISC. CIVIL APPLICATION 71 OF 2022

Yashshri Mallikarjun Patil ... Applicant.

Versus

Mallikarjun Mahadev Patil ... Respondent.

Mr. Drupad S. Patil, Advocate for the Applicant.

Mr. Suhas A. Inamdar, for the Respondent.

**CORAM : ROHIT B. DEO, J.
DATE : JUNE 21, 2022**

P.C. :-

1. The Applicant is seeking transfer of Marriage Petition 66 of 2014, which is instituted by the Non-Applicant / husband, seeking dissolution of marriage, in the Court of Civil Judge, Senior Division, Solapur at Solapur.

2. According to the Applicant since she is residing at Sangli, the marriage petition may be transferred from Solapur to Sangli. The Applicant contends that she has instituted proceedings under section 125 of the Code of Criminal Procedure 1973 and the provisions of the Protection of Woman from Domestic Violence Act, 2005 at Sangli, which the husband is attending.

3. While the Applicant has given certain reasons why she

is seeking transfer, the husband has a counter narrative. The submission by the wife that she has no independent source of income and that it would be inconvenient to attend the proceedings at Solapur which is at 200 kilometers from Sangli, is countered by the husband, by making reference to the maintenance, which the wife has secured and recovered under the court's orders and to the fact that the Applicant wife has close relatives residing at Solapur. I am not inclined to delve deeper in the respective versions since I find that the marriage petition has significantly progressed. The Non-Applicant husband has concluded his evidence and according to the husband, the wife has filed her affidavit-in-lieu of the oral examination-in-chief.

4. Considering the significant progress in the marriage petition, it would not be just to transfer the proceedings at this stage; rather it would be in the interest of the parties, if the Court of Civil Judge, Senior Division at Solapur is requested to expedite the marriage petition.

5. The learned Civil Judge, Senior Division, Solapur, who is in seisin of marriage petition 66 of 2014 is requested to expedite the trial and to conclude the same, in any event, within the next nine months.

6. The Application is disposed of.

(ROHIT B. DEO, J.)