

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO.193 OF 2021**

Vidyadevi Tukaram Gaingade Applicant.
V/s
Tukaram Narayan GaingadeRespondent

Mr. Prashant D. Patil for the Applicant.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 04, 2022

P.C.:-

- 1] Counsel for the Applicant has tendered affidavit of service.
- 2] None appears for the Respondent.
- 3] Parties were married on 11th May, 2011 and are blessed with daughter.
- 4] Non-applicant initiated Hindu Marriage Petition No.167 of 2020 before the Civil Judge, Senior Division, Gadhinglaj for divorce, whereas the Applicant has initiated D.V. Act proceedings on the file of the Court at Pune being Cri. M.A. No.61 of 2020. It is informed that the Applicant is working as a teacher in private school and is custodian of a minor daughter. The aforesaid contention made so as to establish hardship is not controverted by the non-applicant as none appeared for the non-applicant. As such, plea of hardship is established. That

being so, Application is allowed in terms of prayer clause (b). The Hindu Marriage Petition No.167 of 2020 pending on the file of Civil Judge, Senior Division, Gadhinglaj, Kolhapur is directed to be transferred to the Civil Judge, Senior Division, Panvel, Raigad.

5] Application is disposed of.

(NITIN W. SAMBRE, J.)