

R.M. Amberkar

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

MISC. CIVIL APPLICATION NO. 98 OF 2022

Komal Sanat Kamble
@ Komal Krushnath Kamble .. Applicant
Versus
Sanat Janardhan Kamble .. Respondent

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Mr. Sugandh B. Deshmukh for the Applicant
None for Resondent

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CORAM : MILIND N. JADHAV, J.

DATE : 25th November, 2022.

P.C.:

. Heard.

2. Though served, none appears for Respondent-husband.

3. Parties got married on 20.12.2015. Respondent – husband initiated proceedings for divorce pending on the file of Civil Judge Senior Division, Oros-Sindhudurg, District Sindhudurg of which transfer is sought by Applicant to Civil Judge Senior Division, Kolhapur, where she resides.

4. Perused the ground of hardship stated in the Application. There is one minor son viz. Ranveer aged five years who is in the custody and care of Applicant. Grounds in paragraph Nos. 20 to 25 of the Application have been considered. As Applicant – wife will be required to travel from her residence at Kurdu, District Kolhapur to Oros to attend the proceedings, it will cause prejudice and hardship to

her.

5. Since the contentions are not controverted, in my opinion, ground of hardship has to be considered in favour of the Applicant, as one way distance between Kurdu, District Kolhapur and Oros-Sindhudurg is 200 kilometers.

6. In view of the above, Application is allowed and disposed of in terms of prayer clause (a) which reads as under:-

“[A] That this Hon’ble Court be pleased to direct to transfer Hindu Marriage Petition No. 147 of 2019 pending before the learned Civil Judge, Senior Division, Oros-Sindhudurg, District – Sindhudurg to the learned Civil Judge, Senior Division, Kolhapur and be pleased to direct to tag and hear alongwith Hindu Marriage Petition No. 192 of 2020 pending before the learned Civil Judge, Senior Division, Kolhapur.”

[MILIND N. JADHAV, J.]

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signed by
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