

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 352 OF 2019**

ANJALI DATTA KADAM

....Applicant.

V/s

DATTA GAUTAM KADAM

.....Respondent

Mr. Dilip B. Shinde for the Applicant.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 16, 2022

P.C.:-

1] Parties got married on 17/6/2018 at Karad and after matrimonial discord, Respondent has initiated proceedings for divorce under Section 13(1)(a) of the Hindu Marriage Act, which are pending on the file of Family Court, Thane of which transfer is sought on the ground of hardship to the Court of Civil Judge, Senior Division, Karad. I am informed that both ways distance between the two places is 750 kilometers by road.

2] Non-applicant, though served, has not appeared and contested. Earlier, this Court has granted time to the non-applicant to file affidavit in reply, subject to payment of costs, which is also not deposited.

- 3] Contentions in the Application are not controverted.
- 4] Considering the issue of hardship in favour of the Applicant, Application needs to be allowed and is accordingly allowed in terms of prayer clause (a). Prayer clause (a) reads as under:-

“(a) This Honorable Court be pleased to issue necessary order transferring the Petition No.A-341 of 2019 filed by the Respondent against the Applicant, in the Family Court at Thane, seeking decree of divorce under section 13(1)(a) of Hindu Marriage Act, 1955 to Civil Judge, Senior Division, Karad.”

- 5] Application is disposed of.

(NITIN W. SAMBRE, J.)