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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 232 OF 2021

MRS. VIJAYMALA S. KENDRE @ VIJAYMALA
NATHRAO MUNDE

....APPLICANT.

V/s.

SWAPNIL D. KENDRE

....RESPONDENT.

Mr. Prabhanjan B. Gujar, Advocate for the Applicant.
None for Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 22, 2022.

P.C.:

1. Though served, none appears for the Respondent – Non-Applicant.

2. Transfer of proceedings being M.J. Petition No. A-442 of 2020 initiated by the Respondent on the file of Family Court, Mumbai, (Bandra) is prayed on the ground of hardship. Said proceedings are initiated seeking reliefs under section 13 of the Hindu Marriage Act.

3. Issue of hardship is supported by the fact that in case if the Applicant is made to attend the said proceedings at Mumbai, she will be required to travel one way distance of 550 kilometers. It is further brought to my notice that Applicant-Wife is not getting any maintenance from the Non-Applicant.

4. That being so, issue of hardship is established in favour of the Applicant-Wife. As such Application is allowed in terms of prayer clause (b), which reads thus :

(b) That by an order of this Hon'ble Court the proceedings of M.J. Petition No. A-442 of 2020 filed by Respondent/Husband filed at Family Court Bandra be pleased to transfer to Civil Judge Senior Division at Latur.

[NITIN W. SAMBRE, J.]