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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
MISC. CIVIL APPLICATION NO. 193 OF 2019**

SOU. VAISHALI ASHISH CHITALE

....Applicant

V/s

SHRI ASHISH SHARAD CHITALE

.....Respondent

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Mr. Anand S. Patil for the Applicant.

Mr. Kishor H. Hase for the Respondent.

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**CORAM: NITIN W. SAMBRE, J.**

**DATE: JANUARY 12, 2022**

P.C.:-

1] Prayer for transfer is opposed by the Counsel for Respondent on the ground that Respondent being a doctor is required to attend his profession at Kalyan. He has parental duties as his parents are in advance age. It is further claimed that execution proceedings initiated for recovery of maintenance are also sought to be transferred to Kalyan Court.

2] Considered submissions.

3] Fact remains that there is order of payment of maintenance which is not honoured by the non-applicant/husband resulting into filing of execution proceedings which are pending at Pune and non-applicant as on date is attending the said proceedings.

4] Apart from above, fact remains that the Applicant is residing at Pune and if she is made to travel to Kalyan, for want of appropriate maintenance she will be facing financial so also physical hardship. That being so, case for transfer is made out.

5] Application is allowed in terms of prayer clause (a) which reads as under:-

“(a)” That this Hon’ble Court may be pleased to pass an order of transferring the Hindu Marriage Petition No.289 of 2019 pending on the file of Ld. Civil Judge, Sr. Division at Kalyan, Dist-Thane to the Ld. Family Court at Pune on such terms & conditions as this Hon’ble Court deems fit & proper.”

( NITIN W. SAMBRE, J. )