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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 213 OF 2021**

SAU. ROHINI ABHIJIT KALE
V/s

....Applicant

ABHIJIT PRAKASH KALE

.....Respondent

Ms. Naina Boraste i/b Mr. Girish R. Agarwal for the Applicant.
None for the Respondent.

CORAM: NITIN W. SAMBRE, J.

DATE: JANUARY 06, 2022

P.C.:-

1] Heard.

2] Ms. Naina Borsate, learned Advocate for the Applicant submits that service on non-applicant is already complete and affidavit of service is tendered.

3] Though served, none appears for non-applicant/husband.

4] By this Application, Applicant-wife is seeking transfer of Marriage Petition No.465 of 2020 pending on the file of Civil Judge, Senior Division, Thane to the Court of Civil Judge, Senior Division, Karad. I am informed that apart from aforesaid proceedings filed by the Respondent-husband, Applicant-wife has initiated proceedings under Section 12 of the D.V. Act, which are pending on the file of

Judicial Magistrate, First Class, Karad. It is also brought to my notice that Applicant-wife is a custodian of minor child and considering the distance between Karad and Thane, she will suffer great financial and physical hardship.

5] The aforesaid contentions, in my opinion, prima facie are required to be accepted as same are not controverted.

6] That being so, considering the hardship faced by the Applicant-wife, Application is allowed in terms of prayer clause (b). Prayer clause (b) reads as under:-

“(b) Pass an appropriate order directing the transfer of Marriage Petition No.465 of 2020 pending before the Civil Judge, Senior Division, Thane, to the Civil Judge, Senior Division, Karad.”

7] Application is disposed of.

(NITIN W. SAMBRE, J.)