

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

MISC. CIVIL APPLICATION NO.105 OF 2021

Sou. Sangita Tukaram More ..Applicant

Versus

Shri. Tukaram Ramhari Mane ..Respondent

Mr. Machhindra A. Patil, for the Applicant.

None for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 8th MARCH, 2022

PC.

1. This application is arising out of the claim for transfer of Marriage Petition No.1358 of 2018 on the file of learned Civil Judge, Senior Division, Vadgaon-Maval, District Pune to the Court of learned Civil Judge Senior Division, Vita, District Sangli.

2. Parties got married on 10th July, 2000. Applicant is custodian of the minor/growing children. I am informed that the distance between two places i.e. Court at Vita, District Sangli and Vadgaon-Maval, District Pune one way is 200 kms. As such, plea of hardship is sought to be addressed. Apart from above, I am informed that at the behest of the applicant proceeding under Section 9 of the Hindu Marriage Act for restitution of conjugal rights is pending on the file of Civil Judge Senior Division, Sangli being Hindu Marriage Petition No.178 of 2020.

3. As the issue of hardship is not controverted as also considering the distance between two places, case for transfer is made out.

4. That being so, it is directed that proceedings being Marriage Petition No.1358 of 2018 are ordered to be transferred from Civil Judge Senior Division, Vadgaon-Maval, District Pune to the Court of Civil Judge Senior Division, Vita, District Sangli. Similarly, the proceeding under Section 9 of the Hindu Marriage Act pending on the file of Civil Judge Senior Division, Sangli being Hindu Marriage Petition No.178 of 2020 is directed to be placed with the present proceedings on the file of Civil Judge Senior Division, Vita, District Sangli.

5. As such, application is allowed in above terms.

[NITIN W. SAMBRE, J.]