

R.M. Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 366 OF 2022

Snehal Nilesh Bhamare @
Snehal Chandrakant Yadav

.. Applicant

Versus

Nilesh Rajaram Bhamare

.. Respondent

.....
Mr. Sumit V. Khaire for Applicant
None for Respondent
.....

CORAM : MILIND N. JADHAV, J.

DATE : 25th November, 2022.

P.C.:

. Heard.

2. Though served, none appears for the Respondent.

3. Parties got married on 07.02.2015. Respondent – husband initiated proceedings for divorce which is pending on the file of Civil Judge Senior Division, Malegaon of which transfer is sought by Applicant to Family Court, Pune, where she resides.

4. Perused the grounds of hardship which are pressed in paragraph Nos. 7 & 8 of the Application. There is one minor child (son) aged 7 years who is in the custody and care of Applicant. He attends school in Pune. As Applicant – wife will be required to travel from Pune to Malegaon to attend the proceedings, it will cause

prejudice and hardship to her. Respondent works as Development Officer in L.I.C. and is presently posted in Nashik.

5. Since the contentions are not controverted, in my opinion, ground of hardship has to be considered in favour of the Applicant, as one way distance between Pune and Malegaon is 300 kilometers.

6. Respondent has been served. Affidavit-of-service dated 18.11.2022 is filed by Applicant. It shows that Respondent has been served and informed by private notice. The delivery report is appended to the affidavit-of-service.

7. In view of the above, Application is allowed and disposed of in terms of prayer clause which reads as under:-

“(a) This Hon’ble Court be pleased to transfer the proceeding bearing H.M.P. No. 46/2022 filed by the Respondent which is pending before the Ld. Civil Judge Senior Division, Malegaon to Ld. Family Court, Pune.”

[MILIND N. JADHAV, J.]

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signed by
RAVINDRA
MOHAN
AMBERKAR
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