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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 312 OF 2019

AMRUTA VINAYAK SADAWARTE

....APPLICANT

V/s.

VINAYAK PRAMOD SADAWARTE

.....RESPONDENT

Mr. Ajit V. Alange for the applicant

Mr. Dilip Bodake a/w Mr. Sharad T. Bhosale for respondent

CORAM : NITIN W. SAMBRE, J.

DATE: JANUARY 4, 2022.

P.C.:

1] Heard.

2] Parties are in agreement that proceedings which were initiated in the Court of Civil Judge Senior Division, Satara are now transferred to Family Court, Satara. Applicant-wife has sought transfer on the ground that she is a woman, one-way distance between two places is around 250 Kms and being custodian of a minor daughter who is aged about 9 years, will suffer financial and

physical hardship.

3] Prayer for transfer is objected by counsel for the respondent Mr. Bodke on the ground that respondent husband, who is a doctor by profession is required to look after his hospital and patients, similarly, he has medical ailment which does not support long travel if the proceedings are transferred.

4] Mr. Bodake would invite attention of this Court to the fact that respondent husband is required to take care of his aged parents. Mr. Bodake would urge that respondent husband is willing to bear travel and out of pocket expenses.

5] Considered submissions.

6] Both parties to the Application are doctors by profession. Parties are residing separately since last more than six years. Applicant-wife is admittedly a custodian of a minor daughter and is

residing alongwith her parents at Solapur.

7] In the aforesaid background, considering comparative hardship and the fact that applicant is a custodian of a minor daughter, in my opinion, prayer for grant of transfer is made out.

8] As such, proceedings which are initiated and pending at the behest of respondent husband which were earlier numbered as HMP No. 413/2019 and now renumbered after transfer as Petition A No. 27/2021 are ordered to be transferred from Family Court, Satara to Family Court, Solapur.

9] Application stands allowed in the above terms.

[NITIN W. SAMBRE, J.]