

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

974 MISC.CIVIL APPLICATION NO.35 OF 2023

**MRS. PRACHI W/O AKSHAY SAPKAL
VERSUS
AKSHAY S/O HANMANT SAPKAL**

...
Advocate for Applicant : Mr. Shaikh Kayyum Najir
Advocate for Respondent : Mr. M. P. Tripathi h/f.
Mr. K. J. Ghute Patil
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 23.06.2023

PER COURT :

01. Heard rival submissions.
2. The applicant – wife is seeking transfer of Petition A -No. 1343/2022 filed by respondent- husband for declaration about nullity of marriage, from the Family Court, Pune to the Family Court at Latur.
3. According to the applicant-wife, she is not having any independent source of income and the distance between Pune and Latur is around 400 kms. and therefore unable to attend the dates at Pune .
4. The learned counsel for the respondent- husband strongly opposed the application by filing affidavit in reply of the respondent on the ground that the respondent is ready to bear the travelling charges, in case the applicant attends the date at Family Court at Pune.

5. However, since the applicant is not having any source of income and the distance between Pune and Latur is of 400 kms., certain travelling charges are given to her. The convenience of the wife is to be seen ahead of the convenience of the husband.

5. As such, by granting certain concession to the respondent - husband, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The Petition A No.1343/2022 pending in the Family Court of Pune is transferred to the Family Court, Latur for its disposal, according to law.
- (iii) The respondent is directed to appear before the Family Court at Latur on or before 15/07/2023. He is at liberty to appear through his Advocate except on the dates where his physical presence is required. He may use the facilities of video conferencing as per the availability.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

.....

shp/-