

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

962 MISC.CIVIL APPLICATION NO.37 OF 2022

**TRUPTI JAYANT PAWAR AND ANOTHER
VERSUS
JAYANT DATTATRAYA PAWAR**

...
Advocate for Applicants : Mr. Bedre Vinayak Sudhakar
Advocate for Respondent : Mr. Santosh B. Narwade Patil

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 03.02.2023

PER COURT :

Heard rival submissions. The applicant is seeking transfer of Hindu Marriage Petition No. 315/2020 from the Court of learned Civil Judge, Senior Division, Panvel, Dist. Raigad to the Family Court, Ahmednagar. The aforesaid petition is filed by respondent for getting divorce.

2. According to the applicant, she is not having any source of income and she has to look after one son of tender age. Moreover she has also filed a proceeding under Protection of Women from Domestic Violence Act, 2005 against the respondent at Ahmednagar wherein the respondent has already appeared. Distance between Ahmednagar and Panvel is of 300 kms. and therefore, it would be highly difficult for the applicant to attend the dates at Panvel.

3. On the contrary, the learned counsel for the respondent strongly opposed the application. However in the alternative, he submits that if the matter is transferred to Ahmednagar then the applicant be directed not to seek unnecessary adjournments.

4. It is now settled that convenience of the wife is to be seen ahead of the convenience of the husband. Moreover, the applicant is not having any source of income and therefore, considering the convenience of the applicant, following order is passed :

ORDER

- (i) The application is allowed.
- (ii) Hindu Marriage Petition No. 315/2020 is hereby transferred from the Court of learned Civil Judge, Senior Division, Panvel, Dist. Raigad to the learned Family Court, Ahmednagar, for disposal according to law.
- (iii) The parties are directed not to seek unnecessary adjournments and the learned Family Court, Ahmednagar shall dispose of the matter as expeditiously as possible.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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