

Ghuge

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

MISCELLANEOUS CIVIL APPLICATION NO.45 OF 2021

Aanchal Abhijit Kale (Nee Dhanshewari
Ramesh Marathe) ... Applicant
V/s.
Abhijeet Avinash Kale ... Respondent

Ms. Nisha G. Dubey for the applicant.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 6, 2023

PC.:

1. The application is filed by wife for transfer of Hindu Marriage Petition No.335 of 2020 pending before the learned Civil Judge Senior Division, Panvel to the learned Civil Judge Senior Division, Bhusawal.
2. On 16th February, 2008 marriage between the applicant and respondent took place. Due to dispute between the parties, the husband filed Hindu Marriage Petition No.335 of 2020 before the learned Civil Judge Senior Division, Panvel. The petitioner filed proceedings under Domestic Violence Act bearing No.DV/06/2021 before Yawal Court, District Jalgaon. This Court by order dated 6th July, 2021 issued notice to the opponent. The applicant has filed affidavit of service stating that the notice sent to the opponent through post has been returned as the opponent has left the service without instructions.
3. The applicant has stated on oath that she has served the

respondent through email on 23rd June, 2021. She annexed copy of email sent to the opponent. Therefore, the said service is treated as valid service.

4. On perusal of the application, it appears that the distance between Yawal, where the applicant is residing and the Panvel is of 443.4 Kms. It takes 9 hours to reach the Court at Panvel. The applicant is not in a position to travel to the said place alone. She is residing at Yawal along with her parents.

5. Taking into consideration the reasons stated in paragraph Nos.10 and 11 in the application, the Miscellaneous Civil Application is allowed in terms of prayer clause (B).

6. No costs.

(AMIT BORKAR, J.)