

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

MISCELLANEOUS CIVIL APPLICATION NO. 139 OF 2023

Nisarg Madhukar Dehukar	.. Applicant
v/s.	
Jyotsna Nisarg Dehukar	.. Respondent

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Ms. Virtee Ssoni for the applicant.

Mr. Abhishek Kulkarni for the respondent.

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CORAM : KAMAL KHATA, J.

DATED : 14TH JUNE 2023.

P.C. :

1. Learned counsel for the applicant as well as for the respondent both agreed for transferring the petition in terms of prayer clause (b).

2. By consent of both the parties, and the reasons set out in the application, and in view of the law with respect to transfer of proceedings, particularly matrimonial disputes, where it is held that the convenience of the wife which is preferred over the convenience of the husband while considering the transfer of a case from one Court to another. In view of the above, I am inclined to allow this application and pass the

following order;

- (i) Application is allowed in terms of prayer clause (B).
- (ii) The proceedings and application made in M.P. No.A-490/2020 pending before the Principal Judge, Family Court, Nashik be stayed pending transfer; and be transferred to the Family Court, Pune.
- (iii) The Registry shall forward a copy of this order to the Principal Judge, Family Court Nashik, with instructions to forthwith transmit all the records of M.P No.A-490/2020 between the Respondent and Applicant to the Family Court, Pune preferably within 4 weeks from the receipt of this order.
- (iv) The Family Court, Pune shall on receipt of the records of M.P. No.A-490/2020, fix a date preferably within 3 weeks and issue notice to the parties for proceeding with the matter.
- (v) All concerned to act on the authenticated copy of this order.

(KAMAL KHATA, J.)