

VRJ

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

**MISCELLANEOUS CIVIL APPLICATION NO.57 OF 2022**

|                        |                |
|------------------------|----------------|
| Surbhi Chintan Cholera | ... Applicant  |
| <b>V/s.</b>            |                |
| Chintan Naresh Cholera | ... Respondent |

Mr. P.D. Pise for the applicant.

Mr. Ashley Cusher for the respondent.

**CORAM : AMIT BORKAR, J.**

**DATED : JANUARY 13, 2023**

**P.C.:**

**1.** The application is filed by the wife to transfer the marriage petition pending before the learned Civil Judge Senior Division, Vasai to the learned Civil Judge Senior Division, Solapur.

**2.** On 18<sup>th</sup> December, 2018 marriage between the applicant and opponent was solemnized. Due to matrimonial disputes, the opponent filed Marriage Petition No.285 of 2021 before the learned Civil Judge Senior Division, Vasai for divorce under section 13(1)(a) of the Hindu Marriage Act, 1955.

**3.** On 23<sup>rd</sup> July, 2021, the applicant also filed Miscellaneous Application No.372 of 2021 seeking maintenance under section 125(1) of the Code of Criminal Procedure, 1973. The applicant has, therefore, filed present application seeking transfer of proceeding to the Court at Solapur.

**4.** The applicant has stated that the applicant being lady, it is difficult for her to travel to attend the proceedings which is around 440 km. from her place of residence in Solapur. The financial position of the applicant is poor and she is residing with her parents. Therefore, the transfer of proceedings to Solapur would be convenient to the wife.

**5.** Considering the reasons stated above by the applicant, the application deserves to be allowed. The application is, therefore, allowed in terms of prayer clause (b).

**(AMIT BORKAR, J.)**