

AGK

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

MISCELLANEOUS CIVIL APPLICATION NO.285 OF 2022

Savita Sambhaji Dhumal

... Applicant

V/s.

Sambhaji Dattatraya Dhumal

... Respondent

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Mr. Tukaram S. Shendge for the applicant.

Ms. Sonali Humane for the respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 2, 2023

P.C.:

1. The miscellaneous civil application is by the wife for transfer of proceedings pending before learned Civil Judge Senior Division, Kalyan, District Thane to the learned Civil Judge Senior Division, Pune.

2. The marriage between the applicant and respondent was solemnized on 10th February 1993. Due to matrimonial disputes between the parties, the respondent/husband filed Marriage Petition No.1377 of 2018 before the learned Civil Judge Senior Division, Kalyan seeking divorce. The applicant has also filed Criminal Application No.52 of 2018 before the learned Judicial Magistrate First Class, Saswad, District Pune under section 125 of the Criminal Procedure Code, 1908.

3. The applicant has, therefore, filed present miscellaneous civil application seeking transfer of proceedings from Kalyan to Pune.
4. The applicant has stated on oath that she is illiterate and downtrodden lady. She never travelled to Kalyan alone. Attending proceedings in Kalyan would be inconvenient for her. Considering the reasons stated on oath, in my opinion, the applicant has made out a case for transfer.
5. For the reasons stated above, the miscellaneous civil application is allowed in terms of prayer clause (a). No costs.

(AMIT BORKAR, J.)