

VRJ

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

MISCELLANEOUS CIVIL APPLICATION NO.483 OF 2022

Khushboo Sudhir Sathawane

... Applicant

V/s.

Suraj Rajkumar Verma

... Respondent

Mr. Kirankumar Phadake for the applicant.

CORAM : AMIT BORKAR, J.

DATED : February 24, 2023

P.C.:

1. The application is for transfer of proceedings filed under the Domestic Violence Act, 2005 bearing Miscellaneous Criminal Application No.192 of 2017 from learned Judicial Magistrate First Class, Yavatmal to the learned Judicial Magistrate First Class, Pune.

2. On 15th November 2008, the marriage between the applicant and opponent took place. Due to matrimonial differences between the parties, the applicant filed Miscellaneous Criminal Application No.192 of 2017 under section 12 of the Domestic Violence Act, 2005. Since the wife was residing at the relevant time in Yavatmal, she filed it at Yavatmal. Subsequently due to reason of employment, she shifted to Pune and filed Marriage Petition No.290 of 2021 before the learned Civil Judge Senior Division

Pune. Since the applicant is working as a lecturer in the Government Polytechnic College at Pune and residing along with her son, it would be inconvenient for her to attend the proceedings at Yavatmal.

3. The respondent is duly served. In spite of service, the respondent has failed to appear either personally or through advocate.

4. Considering the fact that the applicant is residing at Pune along with her son and she is taking care of her son at Pune, the applicant has made out a case for transfer.

5. The miscellaneous civil application is, therefore, allowed in terms of prayer clause (a). No costs.

(AMIT BORKAR, J.)