



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 368 OF 2023

SOU SAPANA WO VIJAY ODALWAR
VERSUS
VIJAY S/O ANAND ODLWAR

Mr. P. S. Koshti, Advocate for the applicant
Mr. Anand Dale h/f Mr. S. S. Rathi, Advocate for the respondent

CORAM : R. M. JOSHI, J.

DATE : 19th JULY, 2024

PER COURT :-

1. This application is for transfer of Hindu Marriage Petition bearing No. 215/2023 pending on the file of CJSD, Chandrapur to CJSD, Basmathnagar.
2. It is the contention of the learned counsel for the applicant that she is lady without any support and it is not possible for her to travel more than 300 kms to attend the said petition. Learned counsel for the applicant submits that calling upon the applicant to attend the said proceedings will lead to denying her fair opportunity to defend.
3. Learned counsel for the respondent opposed the application by contending that the respondent is ready to bear the conveyance of the applicant for attending the said proceeding at Chandrapur.

4. Merely because the conveyance is provided to the applicant, that may not help her to defend the proceedings effectively. There is nothing on record to show that applicant has any support or that some one can accompany her to Chandrapur. In the facts and circumstances of the case, inconvenience would cause to the applicant-wife which may affect her right of defending the said proceedings. In such circumstances, application deserves to be allowed. Application is allowed in terms of prayer clause 'B'. Parties are directed to appear before CJSD Basmathnagar on 12th August, 2024.

(R. M. JOSHI, J.)

ssp