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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 151 OF 2024**

Mrs. Sana Mohammad Hujefa Haveli ... Applicant

Versus

Mr. Mohammad Hujefa Mohaddin Haveli ... Respondent

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Mr. Vaibhav R. Gaikwad and Ms. Samruddhi T. for Applicant.
None for the Respondent.

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**CORAM : MILIND N. JADHAV, J.
DATED : 27th SEPTEMBER, 2024**

P.C. :-

1. Respondent is represented by Advocate. Notice was issued on 4th April, 2024. There are several orders passed thereafter when Respondent's Advocate has appeared. Speaking orders are passed on 9th July, 2024. Thereafter on 8th August, 2024, none appeared for the Respondent and he was granted one final opportunity. On 4th September, 2024, Advocate for the Respondent appeared and sought adjournment. On that date, it was clarified that he will have to remain present on the next date. When the matter is called out today and has reached hearing, as usual, Advocate for Respondent is absent. In view of the above, the hearing of the present Application cannot be protracted any further and no further chance is deserved by the Respondent in the present case.

3. Heard Mr. Gaikwad. Perused the pleadings.

4. Applicant seeks transfer of Marriage Petition No. A-106 of 2024 filed by Respondent before the Family Court, Pune to the Family Court, Satara, where Applicant-wife is residing. Apart from the proximity of distance between the two destinations, the grounds enumerated in paragraph 13 of the application have been perused by me and each of the grounds stated therein clearly make out a case for allowing the present application of transfer. Hardship fo the Applicant wife is clearly evident.

5. As held by the Supreme Court in the Case of **N.C.V. Aishwarya vs. A.S. Saravana Karthik Sha**¹, the inconvenience caused to the wife in the matrimonial proceedings will have to be considered by the Court apart from an array of factors that would affect and result in hardship to the wife while considering application for such a transfer. It is seen that Applicant is also required to provide care and support for her minor son and in that view of the matter, she cannot be expected to travel all the way to Pune to attending the proceedings and undergo hardship. The inconvenience of the Applicant -wife is clearly evident and therefore, present application stands allowed in terms of prayer clause (A), which reads thus:

1 AIR 2022 SC 4318

“(A) To transfer the proceeding bearing A 106/2024 filed by the Respondent before Family Court, Pune to Family Court, Satara.”

6. The Misc. Civil Application stands allowed and disposed.

(MILIND N. JADHAV, J.)