

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.257 OF 2024

Rani Ashish Shingade .. Applicant
Versus
Ashish Namdeo Shingade .. Respondent

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- Mr. Vipul Patil i./by Mr. Pravin Devadhe, Advocate for Applicant.
 - Mr. Adit Desai i./by Mr. Ajinkya Murumkar, Advocate for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 29, 2024

P.C.:

1. Heard Mr. Patil, learned Advocate for Applicant and Mr. Desai, learned Advocate for Respondent.

2. The Application seeks transfer of pending Marriage Petition filed in the Court of Civil Judge Senior Division, Malshiras, Solapur to Family Court at Pune.

3. The grounds of hardship by the Applicant are enumerated in paragraph Nos.12A to 12C. It is seen that the parents of the Applicants are old, as also father is of 74 years and is physically disabled. They both are suffering from medical ailments which have been elucidated in the Application. Apart from the proximity of distance between the two destinations, the hardship of Applicant who is a lady is evident and therefore there can be no impediment in allowing the Application.

4. Mr. Desai would submit that the Respondent is ready and willing to incur the expenditure of visit undertaken by the Applicant to the Court at Malshiras, as also provide for expenditure. He would submit that considering that Respondent is based in Malshiras, the Application be rejected.

5. Considering the submissions made on behalf of parties, the grounds of hardship of Applicant far outweigh the submissions made on behalf of Respondent. That apart it is seen that proceedings under the the Protection of Women from Domestic Violence Act, 2005 (for short '**the said Act**') are also pending at Pune.

6. In that view of the matter, the Miscellaneous Civil Application stands allowed in terms of prayer clause (B) which reads thus:-

“B] Transfer the H.M.P No.15/2022 [Titled Shri.Ashish Namdeo Shingade -vs- Sau.Rani Ashish Shingade] which is pending before the Ld. Court of Civil Judge Senior Division,Malshiras,Solapur to the Ld. Family Court at Pune, Maharashtra.; and/or”

7. With the above directions, Miscellaneous Civil Application is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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