

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 149 OF 2023

Sakshi Ulhas Raut	...	Applicant
versus		
Ulhas Laxman Raut		Respondent

Mr. Dnyaneshwar B. Kale, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MARCH, 2024.

P.C. :

1. Heard learned counsel for the applicant.
2. By this application, the applicant is seeking transfer of divorce proceedings filed by respondent-husband, which is pending before the Civil Judge, Senior Division, Oras, District-Sindhudurg to Civil Judge, Senior Division, Alibaug, District-Raigad.
3. It is the contention of learned counsel for the applicant that the applicant stays with her daughter at Alibaug. The applicant has no source of income. She is not educated, she is finding it difficult to attend the Court's dates at Sindhudurg, which is more than 400 kilometers from Alibaug. Hence, requested to allow the application.
4. Though respondent is served, none present for the respondent. Sufficient chances are given to the respondent to go on with

the matter. Today also, nobody is present on behalf of the respondent. Hence, I am deciding this application on merit.

5. The applicant stays with her daughter at Alibaug. The applicant has no source of income. The distance between Alibaug to Sindhudurg is more than 400 kilometers. The applicant is finding it difficult to attend Court's dates at Sindhudurg. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer of petition.

5. In view of above, I pass following order :

1. Application is allowed.
2. Marriage Petition No155 of 2022 pending before the Civil Judge, Senior Division, Oras, District – Sindhudurg be transferred to Civil Judge, Senior Division, Alibaug, District-Raigad.
3. Both parties to appear before the Civil Judge, Senior Division, Alibaug on 15th April 2024.

Application stands disposed of.

(SHIVKUMAR DIGE, J.)