

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO. 190 OF 2023**

Namrata Vijay Nikam

... Applicant

Versus

Vijay Vitthal Nikam

... Respondent

Mr. Dhananjay Bhosle i/b. Mr. Narayan Rokade, Advocate for the Applicant.

Mr. Anand S. Patil, Advocate for Respondent.

CORAM : SHIVKUMAR DIGE, J.**DATE : 22nd MARCH, 2024.****P.C. :**

1. By this application, applicant is seeking transfer of Divorce Petition filed by the respondent which is pending before the Family Court at Kolhapur to Civil Judge Senior Division, Niphad, District Nashik.

2. Learned counsel for the applicant submits that applicant stays with her two children at Niphad. The distance between Niphad to Kolhapur is more than 300 km. Applicant finding it difficult to attend the Court dates at Kolhapur. Hence, requested to allow the application.

3. Learned counsel for the respondent submits that the matter is kept of final argument before the Family Court at Kolhapur. The applicant never appeared before the Trial Court at Kolhapur. As the matter is for final argument, hence requested to reject the application.

4. I have heard both the learned counsel. As the matter is for final argument the relief sought by the applicant cannot be granted. After setting aside the ex-parte order the applicant can file afresh application for transfer.

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

ORDER

(i) The application is rejected.

(SHIVKUMAR DIGE, J.)