

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 262 OF 2023

Ekta Avinash Sawant @ Ekta Aagand GhorpadeApplicant

Versus

Avinash Haribhau SawantRespondent

Mr. A.R. Bhingardive, i/by Adv. V.R. Gaikwad, Advocate for the Applicant.

None for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th FEBRUARY, 2024.

P.C. :

1. It is contention of learned Counsel for the Applicant that Respondent has filed Divorce Proceeding which is pending at Family Court Thane. The Applicant stays at Satara with her parents. The Applicant is finding difficult to attend the Court dates at Family Court, Thane. There is no one in the family of the Applicant to accompany her to attend the Court dates at Family Court, Thane. Learned Counsel further submitted that Applicant has filed D.V Proceedings against the Respondent/Husband which is pending in the Court of Judicial Magistrate First Class, Satara it is for evidence. The Respondent attends the dates in that matter.

2. Hence, requested to allow the Application. Though Respondent served none present for Respondent sufficient chances are given to Respondent to go on with the matter. Today also none present for the Respondent. Hence, I am deciding this Application on merit, the Applicant has filed D. V. proceedings against Respondent/Husband which is pending before Judicial Magistrate First Class, Satara. The Respondent attends the dates in that matter. The Respondent has filed Divorce Proceeding against the Applicant which is pending at Family Court, Thane. The Applicant stays at Satara with her parents. The Applicant is finding difficult to attend the Court's date at Family Court, Thane there is no one in the family of Applicant to accompany her to attend the Court dates at Family Court, Thane.

3. It is settled principal of law that convenience of the Applicant/Wife has to be considered over Respondent/Husband. While considering the transfer Petition.

4. In view of above, I pass following Order.

ORDER

- a) The Application is allowed.
- b) The Marriage Petition No. 77 of 2023 pending before

the Family Court, Thane be transferred to Family Court, Satara.

c) Both the parties to appear before the Family Court, Satara, on 4th March 2024.

5. The Miscellaneous Civil Application is disposed of.

(SHIVKUMAR DIGE, J.)