

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

MISCELLANEOUS CIVIL APPLICATION NO. 277 OF 2023

Revti Rohit DhurveApplicant

Versus

Rohit Ramesh DhurveRespondent

Ms. Sangita Walke, Advocate for the Applicant.

Mr. Pratik Tare a/w Ms. Sakshi Kadam, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd FEBRUARY, 2024.

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P.C. :

1. Heard learned counsel for the Applicant and learned counsel for the Respondent.

2. Learned counsel for the Applicant submits that Applicant stays at Jaisingpur, Kolhapur with her parents and 4 years minor child. Applicant has no financial condition to attend the Court's date at Kalyan Court, where divorce petition is pending. It is difficult for her to come to Court's date at Kalyan. Hence, requested to allow the Application.

3. Learned counsel for the Respondent-Husband submits that relatives of the Applicant wife has threatened the Respondent that when the

Court proceedings will be transferred at Jaisingpur, Kolhapur, they will see him. Hence, requested to reject the Application.

4. I have heard both learned counsels. Applicant stays at Jaisingpur with her minor 4 years child and parents. She has no financial condition to attend the Court's date at Kalyan, where the Respondent/Husband has filed divorce petition. The Respondent-Husband can file appropriate proceedings, if anything happened with him. It is settled principle of law that at the time of transfer application, convenience of wife has to be considered over husband.

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

ORDER

- i. Application is allowed.
- ii. The divorce petition A-670 of 2023 pending before the Civil Judge Senior Division, Kalyan be transferred to Civil Judge Senior Division, Jaisingpur, Kolhapur.
- iii. Both the parties appear before the Civil Judge Senior Division, Jaisingpur on 6th March, 2024 at 11:00 a.m.

(SHIVKUMAR DIGE, J.)