

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

MISCELLANEOUS CIVIL APPLICATION NO. 275 OF 2023

Trupti Rohit Bhandare Nee

Miss. Trupti Satish Kurade

....Applicant

Versus

Rohit Chandrakant Bhandare

....Respondent

Mr. Vishal Mohan Dhamal, Advocate for the Applicant.

Ms. Rachna Mamnani i/b Mr. P. P. Kulkarni, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 24th APRIL, 2024.

P.C. :

1. By this application, Applicant is praying for transfer of Restitution of Conjugal Rights petition pending before the Civil Judge Senior Division Ichalkaranji to Civil Judge Senior Division, Satara.

2. It is contention of learned counsel for the Applicant that Applicant stays at Satara with two minor children. The distance between Satara to Ichalkaranji is more than 100 km. The Applicant has filed DV proceedings against the Respondent, which is pending at Satara. The Respondent attends the Court's date in the said proceedings. Applicant is finding difficult to go to Ichalkaranji. Hence, requested to allow the Application.

3. It is contention of learned counsel for the Respondent that the distance between Satara to Ichalkaranji is short. Applicant can travel the said distance, only to harass the Respondent this Application has filed. There are no grounds for transfer of the Application. Hence requested to reject the Application.

4. I have heard both learned counsel.

5. Applicant stays at Satara with two minor children. She is taking care of minor children. The distance between Satara to Ichalkaranji is more than 100 km. The Applicant is finding difficult to attend the Court's date at Ichalkaranji. The Respondent attend the Court's date at Satara in DV proceedings. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer petition.

6. In view of above, I pass following order.

ORDER

- i. Application is allowed.
- ii. The Marriage Petition No.91 of 2023 pending before the Civil Judge Senior Division, Ichalkaranji be transferred to Civil Judge, Senior Division, Satara.

. The Miscellaneous Civil Application stands disposed of.

(SHIVKUMAR DIGE, J.)