

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

MISCELLANEOUS CIVIL APPLICATION NO.331 OF 2023

Gauri Vicky GaikwadApplicant

V/s.

Vicky Dinkar GaikwadRespondent

Mr.Atharva R. Bhingardev, for the Applicant.

Mr.Vicky D. Gaikwad, Respondent present in person.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd MAY 2024

P.C:-

1. By this Application, the Applicant is seeking transfer of Divorce Petition pending before the Family Court, Bandra to Family Court, Satara.

2. It is contention of the learned counsel for the Applicant that, the Applicant stays at Satara with her 1 and ½ year child and with her parents. She has not in a financial condition to travel to Bandra. The distance between Bandra to Satara is more than 150 k.m. The Applicant is finding difficult to attend the Court dates at Bandra. Hence, requested to allow the

Application.

3. The Respondent present in person before this Court. He strongly objected to allow the Application on the ground that he is in defence service and it would not be convenient for him to travel to Satara. Hence, requested to dismiss the Application.

4. The Applicant stays at Satara with her 1 and ½ years child and with her parents. She has not in a financial condition to travel to Bandra. The distance between Bandra to Satara is more than 150 k.m. Considering the reasons mentioned in the Application as well as it is settled principle of law convenience of the wife has to be considered while transferring the Petition.

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

ORDER

(i) The Divorce Petition No.A-1239 of 2023 pending before Family Court, Bandra be transferred to Family Court, Satara.

(ii) The Respondent can file Application before the concerned Court for appearance through Video Conference. The concerned Court shall decide the

said Application on its own merits.

(iii) The Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)