

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO. 366 OF 2023**

Nayana Kunal Zawar ... Applicant

Versus

Kunal Dipak Zawar ... Respondent

Mr. Satyajit Dige i/b. M. S. Athalye, Advocate for the Applicant.

Mr. Akshay R. Kapadia, Advocate for Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th APRIL, 2024.

P.C. :

1. Heard learned counsel for the applicant.
2. Learned counsel for the applicant seeks leave to carry out amendment. Amendment be carried out forthwith.
3. By this application, applicant is seeking transfer of Marriage Petition No. A-196 of 2023 from Family Court, Jalgaon to Family Court at Satara.
4. It is contention of learned counsel for the applicant that respondent has filed petition for restitution of conjugal right. Applicant stays at Satara with her parents and child. The distance between Satara to Jalgaon is more than 500 km. It is finding difficult for the applicant to attend the Court dates at Jalgaon. The respondent has filed petition under the Guardians and Wards Act which is pending before the Family Court at

Satara. The applicant has filed proceeding under the D.V. Act which are pending before the Family Court at Satara hence all these proceedings be transferred to Family Court at Satara where petition of respondent under the Guardians and Wards Act is pending.

5. It is contention of learned counsel for respondent that no grounds are mentioned for transfer. The applicant can appear through video conferencing before the Jalgaon Court, hence requested to reject the application.

6. I have heard both the learned counsel. Applicant stays at Satara with her parents and six year old daughter. The distance between Satara to Jalgaon is more than 500 km. She is suffering from blood cancer. The respondent has filed Petition under the Guardians and Wards Act which is pending before the Family Court at Satara. Hence Petition filed by the respondent pending before the Family Court at Jalgaon can be transferred to Family Court at Satara and I pass following order.

ORDER

- i. The application is allowed.
- ii. Petition A No. 196/2023 pending before Family Court, Jalgaon be transferred to Family Court at Satara.
- iii. Criminal Misc. Application No. 987/2023 filed under D.V. Act and pending before 11th J.M.F.C Court at

Satara be transferred to Family Court at Satara.

- iv.** Petition D No. 1/2023 filed under Guardians and Wards Act filed by respondent is pending before Family Court at Satara. All the three matters be tagged together and heard together.
- v.** Parties to appear before the Court at Satara.

(SHIVKUMAR DIGE, J.)