

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.5 OF 2024
WITH
INTERIM APPLICATION (ST) NO.7495 OF 2024

Shivani D/o. Mundlik GaikwadApplicant

V/s.

Shivraj Narayanrao MoteRespondent

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Mr.Yogesh Pande, for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd MAY 2024

P.C:-

. By this Application, the Applicant is seeking transfer of Divorce petition pending before the Civil Judge Senior Division, Bhiwandi to Civil Judge Senior Division, Vashim.

2. It is contention of the learned counsel for the Applicant that, the Applicant stays at Vashim with her parents. The distance between Bhiwandi to Vashim is more than 400 k.m. The Applicant is finding difficult to attend the Court dates at Thane. Hence, requested to allow the Application.

3. Though Respondent is served and sufficient chances given to the Respondent to argue the matter, but Respondent is absent. Hence, I am deciding this application on merit.

4. The Applicant stays with her parents at Vashim. The distance between Bhiwandi to Vashim is more than 400 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 Marriage Petition No.294 of 2023 pending before Civil Judge Senior Division, Bhiwandi be transferred to Civil Judge Senior Division, Vashim.

(ii) The Application is allowed and disposed of.

(iii) All pending Interim Applications are disposed of.

(SHIVKUMAR DIGE, J.)