

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 56 OF 2023

Pranali Bhushan Zope @ Pranali Vilas Patil	...	Applicant
versus		
Bhushan Liladhar Zope		Respondent

Ms. Chaitrali A. Deshmukh, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MARCH, 2024.

P.C. :

1. By way of this application, the applicant is seeking transfer of Hindu Marriage Petition filed by the respondent, which is pending before the Civil Judge, Senior Division, Bhusawal to Civil Judge, Senior Division, Kalyan.
2. It is the contention of learned counsel for the applicant that applicant stays at Dombivali with her parents. After filing of the petition by the applicant, the respondent has filed petition for restitution of conjugal rights which is pending before the Civil Judge, Senior Division, Bhusawal. The applicant is finding it difficult to attend the Court's dates at Bhusawal. Hence, requested to allow the application.
3. Though respondent is served, none present for the respondent. Sufficient chances are given to the respondent to go on with

the matter. Today also, nobody is present on behalf of the respondent. Hence, I am deciding this application on merits.

4. I have heard learned counsel for the applicant.

5. The applicant stays at Dombivali with her parents. The applicant has filed proceeding against the respondent, which is pending before the Civil Judge, Senior Division, Kalyan. The respondent attends the Court's dates in the said matter. The applicant is finding it difficult to attend the Court's dates at Bhusawal. It is settled principle of law that the convenience of the wife has to be considered over husband in case of transfer of petition.

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

1. The application is allowed.
2. HMP No.407 of 2021 pending before the Civil Judge, Senior Division at Bhusawal be transferred to the Civil Judge, Senior Division, Kalyan, wherein the marriage petition filed by the applicant is pending.
3. Both the parties to appear before the Civil Judge, Senior Division, Kalyan, on 8th April 2024.

(SHIVKUMAR DIGE, J.)