

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

MISCELLANEOUS CIVIL APPLICATION NO.88 OF 2022

Sou.Monali Bhawarlal @ Bhavesh Lodha Applicant

V/s.

Shri.Bhawarlal @ Bhavesh Lodha Respondent

Mr.Rohit Gorade i/b Mr.Rameshwar Gite, for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 08th APRIL 2024

P.C:-

1. By this Application, the Applicant is seeking transfer of Hindu Marriage Petition No.216 of 2021 pending before the Civil Judge Senior Division, Amalner, District-Jalgaon to Civil Judge Senior Division, Malegaon, District-Nashik.

2. It is contention of the learned counsel for the Applicant that, the Applicant stays at Malegaon, District-Nashik with her children and old age parents. The distance between Malegaon to Amalner is more than 100 k.m. The Applicant is finding difficult to attend the Court dates at Amalner. Hence, requested to allow the Application.

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3. Though Respondent is served, none present for the Respondent. On the last date, last chance is given to the Respondent to go on with the matter. Today also none present for the Respondent. Hence, I am deciding this application on merit.

4. The Applicant stays with her children and old age parents at Malegaon. The distance between Malegaon to Amalner is more than 100 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 over the husband.

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

ORDER

- (i) The H.M. Petition No.216 of 2021 pending before Civil Judge Senior Division, Amalner, District-Jalgaon to Civil Judge Senior Division, Malegaon.
- (ii) Both the parties to appear before the concerned Court on 30th April 2024.
- (iii) The Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)