

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO. 155 OF 2024**

Anita Swapnil Meher

... Applicant

Versus

Swapnil Pramod Meher

... Respondent

.....

Ms. Anita Bhaktwani, Advocate for the Applicant.

Ms. Kalpana Rajput a/w. Mr. Kashap Bhalerao, Advocate for Respondent.

CORAM : SHIVKUMAR DIGE, J.**DATE : 6th MAY, 2024.****P.C. :**

1. Learned counsel for respondent tendered copy of affidavit in reply. She also undertakes to file her Vakalatnama. Leave granted.
2. By this application, applicant is seeking transfer of divorce petition pending before the C.J.S.D., Khed, Pune to Family Court at C.B.D. Belapur.
3. It is contention of learned counsel for the applicant that applicant stays at Sanpada. The distance between Sanpada to Khed is more than 100 km. The applicant is finding difficult to attend the Court dates at Khed. The respondent also stays at Mumbai, hence requested to allow the application.
4. It is contention of learned counsel for the respondent that at the time of filing divorce petition respondent and applicant both were staying at Narayangaon, Khed, hence petition was filed there, now respondent

stays at Mumbai. No grounds are mentioned for transfer of application.

5. I have heard both the learned counsel. Applicant stays at Sanpada, Navi Mumbai. The distance between Khed to Mumbai is more than 100 km. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer petition.

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

O R D E R

- i. The application is allowed.
- ii. Marriage Petition No. 677/2023 pending before the C.J.S.D., Khed be transferred to Family Court at C.B.D., Belapur.

7. The application is disposed of.

(SHIVKUMAR DIGE, J.)

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by SONALI
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