

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

MISCELLANEOUS CIVIL APPLICATION NO. 232 OF 2022

Shital Swapnil Pujari

....Applicant

Versus

Swapnil Mahadev Pujari

....Respondent

Mr. Utkarsh Desai i/b Mr. P. S. Bhavake, Advocate for the Applicant.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 14th MARCH, 2024.

P.C. :

1. By this Application, Applicant is seeking transfer of divorce petition filed by the Respondent/Husband which is pending before the Family Court, Pune to Family Court, Kolhapur.
2. Learned counsel for the Applicant submits that Applicant stays with her old age parents at Kolhapur. She has no source of income. She is finding difficult to attend the Court's date at Pune. The distance between Pune to Kolhapur is more than 200 km. Hence, requested to allow the Application.
3. Though Respondent served, none present for the

Respondent. Sufficient chances are given to the Respondent to go on with the matter hence, I am deciding this matter on merit.

4. I have heard learned counsel for the Applicant. Applicant stays with her old age parents at Kolhapur. She has no source of income. Applicant is finding difficult to attend the Court's date at Pune. The distance between Kolhapur to Pune is more than 200 km. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer petition.

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

ORDER

- i. Application is allowed.
- ii. The marriage petition No. A-2540 of 2020 pending before the Family Court, Pune be transferred to Family Court, Kolhapur.
- iii. Both parties to appear before the concern Court on 15th April, 2024.

(SHIVKUMAR DIGE, J.)