

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

MISCELLANEOUS CIVIL APPLICATION NO.207 OF 2023

Gayatri Sanjay WableApplicant

V/s.

Alok Rajiv PatilRespondent

Mr.Harshvardhan B. Suryavanshi, for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th FEBRUARY 2024

P.C:-

1. Heard learned counsel for the Applicant.

2. By this Application, the Applicant is seeking transfer of Divorce Petition filed by the Respondent-Husband, which is pending at Family Court, Nashik to Family Court, Pune. The learned counsel for Applicant submits that, the Applicant stays with her old age parents at Pune. She is finding difficult to attend the Court dates at Nashik. The Applicant has filed proceedings under the Domestic Violence Act and Maintenance against the Respondent-Husband, which are pending at Pune. In the said proceedings the Respondent-Husband has appeared and attend

court dates. 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 at Pune with her old age parents. She is finding difficult to attend Court dates at Nashik. The distance between Pune to Nashik is more than 200 km. In the proceedings filed by the Applicant, the Respondent has appeared before the Court at Pune. It is settled principle of law at the time of the transfer of the Petition, the convenience of the wife has to be considered over the husband.

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

ORDER

(i) Marriage Petition No.A-835 of 2022 pending before the Family Court, Nashik be transferred to Family Court, Pune.

(ii) The Application is allowed and disposed of.

(iii) Both the parties to appear before the Family Court, Pune on 14th March 2024.

(SHIVKUMAR DIGE, J.)