

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO.130 OF 2023**

Soni Vijay Kalal	...	Applicant
versus		
Vijay Nandu Kalal		Respondent

Mr. K. K. Dubey, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st APRIL, 2024.

P.C. :

1. By this application, the applicant is seeking transfer of divorce petition filed by respondent-husband which is pending before the Family Court at Nashik to the Family Court at Bandra.

2. It is the contention of learned counsel for the applicant that the applicant stays at Mumbai with her aged parents, she has no source of income. The distance between Mumbai to Nashik is more than 170 kilometers, the applicant is finding it difficult to attend the Court's dates at Nashik. 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.

**SHUBHADA
SHANKAR
KADAM**

Digitally signed by
SHUBHADA
SHANKAR KADAM
Date: 2024.04.02
11:04:34 +0530

4. Heard learned counsel for the applicant.
 5. The applicant stays at Mumbai with her aged parents, she has no source of income. The distance between Mumbai to Nashik is more than 170 kilometers, the applicant is finding it difficult to attend the Court's dates at Nashik. 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 :
 1. Application is allowed.
 2. Petition No.A-427 of 2022 pending before the Family Court at Nashik be transferred to the Family Court at Bandra.
 3. Both parties to appear before the Family Court at Bandra on 22nd May 2024.
- Application stands disposed of.

(SHIVKUMAR DIGE, J.)