

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO. 270 OF 2022**

Prachi Pramod Sasaneekar

... Applicant

Versus

Pramod Narayan Sasawnekar

... Respondent

.....

Smt. Sangeeta Salvi a/w. Aseem Sharma, Advocate for the Applicant.

Mr. R. K. Gandhi, Advocate for Respondent.

CORAM : SHIVKUMAR DIGE, J.**DATE : 29th APRIL, 2024.****P. C. :**

1. By this application applicant is seeking transfer of the proceeding pending before the Family Court at Alibaug to District Court at Palghar.
2. It is contention of learned counsel for the applicant that applicant stays at Palghar with two minor children. The distance between Palghar to Alibaug is more than 100 km. Applicant is finding difficult to attend the Court dates at Alibaug. Applicant has filed divorce proceeding and proceedings under the Domestic Violence Act which are pending at Palghar, hence requested to allow the application.
3. Learned counsel for respondent submits that applicant has *suo motu* left the matrimonial house of the respondent. Respondent had tried to settle the matter with the applicant but she is not ready. No grounds are

mentioned to transfer the application, hence requested to reject the application.

4. I have heard both the learned counsel. The proceedings filed by the applicant are against the respondent are pending at Palghar. The distance between Palghar to Alibaug 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.

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

ORDER

- i. The application is allowed.
- ii. Petition No. D-4 of 2022 pending before the Family Court at Alibaug be transferred to Family Court at Palghar.
- iii. Respondent can file application before the concerned Court for appearance through video conference. The concerned Court shall decide the said application on its own merits.

6. The application is disposed of.

(SHIVKUMAR DIGE, J.)