

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 359 OF 2022

Krutika Durgesh Sonawane

... Applicant

Versus

Durgesh Prakash Sonawane

... Respondent

.....

Mr. S.C.Chandrate, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 29th APRIL, 2024.

P. C. :

1. Heard learned counsel for the applicant.
2. None for the respondent.
3. This matter is kept back and again called out at 12:19 p.m. however none present for the applicant.
4. By this application, applicant is seeking transfer of divorce proceeding pending before the Family Court at Pune to Family Court at Nashik.
5. It is contention of learned counsel for the applicant that applicant stays with her parents with Nashik. Recently her father has been passed away. There is no male member in the family of applicant to accompany her to attend the Court dates at Pune. The distance between Nashik to

Pune is more than 200 km. Hence requested to allow the application.

6. The affidavit in reply filed by the respondent shows that respondent has denied the contention of the applicant. In reply it is further mentioned that applicant has not mentioned the sound reason for transferring the divorce petition, hence requested to reject the application.

7. I have heard learned counsel for the applicant. The applicant stays at Nashik with her parents. The distance between Nashik to Pune is more than 200 km. There is no male member in her family to accompany her to attend the Court dates at Pune. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer petition.

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

ORDER

- i. The application is allowed.
- ii. Divorce Petition i.e. P. A No. 858 of 2022 pending before the Family Court at Pune be transferred to Family Court at Nashik.

9. The application is disposed of.

(SHIVKUMAR DIGE, J.)