

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.240 OF 2023

Ashwini Dipak Bagade @ Ashwini B. Applicant
Dahale

V/s.

Dipak Mohan Bagade Respondent

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Mr.Abhijeet Pange i/b Mr.Vivek Hiralal Kyadal, for the
Applicant.
Mr.Atharva R. Bhingardave i/b Mr.Vaibhav R. Gaikwad, for the
Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th MARCH 2024

P.C:-

. By this Application, the Applicant is seeking transfer
of Marriage Petition No.261/2021 pending before the Civil
Judge Senior Division, Wai, Satara to Civil Judge Senior Division,
Pune.

2. It is contention of the learned counsel for the
Applicant that, the Respondent has forced the Applicant to
undergo the treatment of IVF and other treatments due to such
treatments the Applicant's health has become gaunt. The learned

counsel further submit that the Applicant stays at Pune with her old age parents. She has no source of income. The Applicant is finding difficult to attend the Court dates at Wai. Hence, requested to allow the Application.

3. The learned counsel for the Respondent strongly objected for transfer on the ground that there is no reason for transfer of the Petition. Hence, requested to reject the Application.

4. I have heard both learned counsel.

5. The Applicant stays with her parents at Pune. She has no source of income to attend the Court dates at Pune. Considering the reasons mentioned in the Application as well as it is settled principle of law convenience of the wife has to be considered while transferring the Petition over the husband.

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

ORDER

(i) The Marriage Petition No.261 of 2021 pending before Civil Judge Senior Division, Wai, Satara be transferred to Civil Judge Senior Division, Pune.

(ii) Both the parties to appear before the concerned

Court on 8th April 2024.

(iii) The 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.

(iv) The Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)