

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

MISCELLANEOUS CIVIL APPLICATION NO.235 OF 2023

Kavita Pritam Gavali @
Kavita Jagdish Ahire

.... Applicant

V/s.

Pritam Baban Gavali

.... Respondent

NILAM
SANTOSH
KAMBLE

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Ms.Deepali A. Bagla, for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd APRIL 2024

P.C:-

1. By this Application, the Applicant is seeking transfer of Marriage Petition No.A-31/2023 pending before the Civil Judge Senior Division, Palghar to Family Court, Dhule.

2. It is contention of the learned counsel for the Applicant that, the Applicant stays at Dhule with her old age parents. The distance between Dhule to Palghar is more than 300 k.m. The Applicant is finding difficult to attend the Court dates at Palghar. 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 with her old age parents at Dhule. The distance between Dhule to Palghar is more than 300 k.m. 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.

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

ORDER

(i) The Marriage Petition No.A-31 of 2023 pending before Civil Judge Senior Division, Palghar be transferred to Family Court, Dhule.

(ii) Both the parties to appear before the concerned Court on 25th April 2024.

(iii) The Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)