

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

MISCELLANEOUS CIVIL APPLICATION NO.415 OF 2022

Mrs.Kaveri Achyut KurlikarApplicant

V/s.

Achyut Suresh KurlikarRespondent

**NILAM
SANTOSH
KAMBLE**
Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2024.02.08
18:41:09 +0530

Mr.Yogesh N. Naidu a/w Ms.Khushi Agarwal i/b Prasad Kulkarni
& Associate, for the Applicant.

Mr.Manoj Patil, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th FEBRUARY 2024

P.C:-

1. Heard learned counsel for the Applicant and learned
counsel for the Respondent.

2. The learned counsel for the Applicant submits that,
Applicant stays at Pune. She works in Pune. The Respondent-
Husband has filed Divorce Petition, which is pending at Oros,
District-Sindudurgh. The Applicant is finding difficult to attend
the Court dates at Oros. Hence, requested to allow the
Application.

3. The learned counsel for the Respondent-husband

submits that, the Respondent stays at Oros. He is doing work from home. No grounds are made out for transfer of Application. The Applicant's native place is Gadhinglaj. She comes to visit her family members, she can attend Court dates. The Respondent is ready to provide travel expenses to the Applicant or she can attend through Video Conferencing. Hence, requested to reject the Application.

4. I have heard both learned counsel.

5. The Applicant works at Pune. The distance between Pune to Sindudhurg is more than 300 km. The Applicant finding difficult to attend Court dates at Oros as she works at Pune. It is settled principal of law that at the time of the transferring of the Petition, the Court has to consider the convenience of wife over husband. Hence, I pass following order.

ORDER

(i) Application is allowed.

(ii) The Marriage Petition No.117 of 2022 pending before the Civil Judge Senior Division, Oros be transferred to Family Court, Pune.

(iii) The Respondent-Husband can file Application for appearance through Video Conferencing before the concerned Court, the said Court shall decide it on its own merits.

(iv) Both the parties to appear before the concerned Court on 11th March 2023.

(SHIVKUMAR DIGE, J.)