

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 309 OF 2023**

Rameshwari Abhijit Virshid	...	Applicant
versus		
Abhijit Tejrao Virshid		Respondent

Mr. Rohit D. Gorade h/f. Mr. Rameshwar Gite, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th FEBRUARY, 2024.

P.C. :

1. By this application, applicant is seeking transfer of Marriage Petition No.A-592 of 2021 filed by respondent- husband which is pending before the Family Court at Aurangabad to Family Court at Nashik.
2. It is contention of learned counsel for applicant that applicant stays with her seven year old child, aged parents and handicapped brother at Nashik. Respondent husband has filed marriage petition before the Family Court at Aurangabad. The distance between Nashik to Aurangabad is more than 200 kilometers. The applicant is finding it difficult to attend the court dates at Aurangabad. Hence, requested to allow the application.
3. Though respondent is served, none present for respondent. Sufficient chances are given to respondent to go with the matter. Today

also, none present for respondent, so I am deciding this application on merits.

4. The applicant stays with her seven year old child, her aged parents and her handicapped brother at Nashik. The distance between Nashik to Aurangabad is more than 200 kilometers. The applicant is finding it difficult to attend the court dates at Aurangabad. It is settled principle of law that while considering transfer petition, the convenience of the wife is to be considered over husband.

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

1. Application is allowed.
2. Marriage Petition No.A-592 of 2021 pending before the Family Court at Aurangabad be transferred to Family Court at Nashik.
3. Both the parties shall appear before the Family Court at Nashik on 7th March 2024.

The application stands disposed of.

(SHIVKUMAR DIGE, J.)