

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

MISCELLANEOUS CIVIL APPLICATION NO.340 OF 2023

Sunita Anil Jadhav Applicant

V/s.

Anil Jagannath Jadhav Respondent

Mr.Himanshu Pujari i/b Mr.Mahendra Sandhyanshiv, for the
Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd APRIL 2024

P.C:-

1. By this Application, the Applicant is seeking transfer of divorce petition filed by the Respondent-husband pending before the Civil Judge Senior Division, Kalyan to Civil Judge Senior Division, Dhule.

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

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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 son and old age parents at Dhule. The distance between Dhule to Kalyan 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 HMP No.A-1761 of 2021 pending before Civil Judge Senior Division, Kalyan be transferred to Civil Judge Senior Division, 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.)