

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.2 OF 2023

Pooja Aniket ThormoteApplicant

V/s.

Aniket Shriram ThormoteRespondent

Mr.M.M. Kondekar, for the Applicant.

Ms.Shivani Kondekar, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th FEBRUARY 2024

P.C:-

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

2. By this Application, the Applicant is seeking transfer of Divorce Petition pending before the Family Court, Pune to Family Court, Latur.

3. It is contention of the learned counsel for the Applicant that, Applicant stays with her parents at Latur. The Respondent has filed Divorce Petition, which is pending at Family Court at Pune. The distance between Pune to Latur is

more than 300 km. The Applicant is finding difficult to attend Court dates at Pune as her parents are old age and there is no one in her family to accompany her to attend the Court dates at Pune. Hence, requested to allow the Application.

4. The learned counsel for the Respondent vehemently submitted that, after filing Divorce Petition by the Respondent, only to harass the Respondent-Husband, this Application is filed. The Applicant has filed frivolous Application in Latur Court and had given false complaint before the Police Station at Latur, when the Respondent had been to Latur, in respect of said Complaint. The Applicant's family members threatened and manhandled the the Respondent, if Petition is transferred to Latur, there is threat to the Respondent. Hence, requested to reject the Application.

5. I have heard both learned counsel.

6. The Applicant stays with her parents at Latur. The distance between Pune to Latur is more than 300 km. The Respondent can file appropriate Application before the concerned authority, if he faces any threat by the family members of the Applicant. 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.A-466 of 2022 pending before Family Court, Pune be transferred to Family Court, Latur.
- (iii) Both the parties to appear before the concerned Court on 11th March 2023.

(SHIVKUMAR DIGE, J.)