

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

MISCELLANEOUS CIVIL APPLICATION NO. 306 OF 2023

Dipali Gajanan Dhumal

....Applicant

Versus

Gajanan Dhondiba Dhumal

....Respondent

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Ms. Mrunmayi Khambete i/b Mr. Vilas B. Tapkir, Advocate for the
Applicant.

Mr. Rishikesh A. Mohite, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th MARCH, 2024.

P.C. :

1. By this application, Applicant is seeking transfer of divorce petition filed by the Respondent, which is pending before the Civil Judge, Senior Division, Panvel to Family Court, Pune.
2. It is contention of learned counsel for the Applicant that Applicant is working in private school at Pune. She stays there with her daughter. She is finding difficult to attend the Court's date at Panvel. Hence, requested to allow the Application.
3. It is contention of learned counsel for the Respondent that

there is injury to the ligament of knee of the Respondent. Doctor has advised the Respondent to take bed rest. Respondent is not in position to travel from one place to another place. Learned counsel further submitted that Respondent is not doing any job. He is dependent on income of his parents. Learned counsel further submitted that if this Court inclined to allow the Application, the Respondent be permitted to appear through video conferencing.

4. I have heard both learned counsel. Applicant stays with her daughter at Pune. She is working in private school. Applicant is finding difficult to attend the Court's date at Panvel. It is settled principle of law that while considering the transfer petition convenience of the wife has to be considered over the husband.

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

ORDER

- i. Application is allowed.
- ii. The marriage petition No. 537 of 2023 which is pending before the Civil Judge, Senior Division, Panvel be transferred to Family Court, Pune.
- iii. The Respondent can file the application for appearance through video conferencing before the

concerned Court. The concerned Court shall decide the said application on its own merit.

iv. Both parties to appear before the Family Court, Pune on 15th April, 2024.

6. Miscellaneous Civil Application stands disposed of.

(SHIVKUMAR DIGE, J.)