

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.363 OF 2023

Reshma Manoj Kalantari Applicant

V/s.

Manoj Bhagirath Kalantri Respondent

Mr.Gurudas Gorwadkar, for the Applicant.

Ms.Rati S. Sinhasane, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st MARCH 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 the Divorce Proceeding filed by the Respondent, which is pending before the Family Court, Pune to Family Court, Nashik.

3. The Applicant-Wife staying at Nashik with her two daughters and old age parents. It is inconvenient for her to come to Pune to attend the proceedings of pending matter. The Applicant is suffering from cervical spondylosis. She is finding

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difficult to attend the Court dates at Pune. The distance between Nashik to Pune is more than 200 km. She has no source of income. Hence, requested to allow the Application.

4. The learned counsel for the Respondent submit that the medical papers produced by the Applicant is in respect of the ailments are of the year 2022. The Applicant is Managing Director of two companies, so no question of source of income arises. Moreover, the Trial Court has rejected her Application for maintenance on the ground that she had not clean before the Trial Court. Hence, requested to reject the Application.

5. I have heard both learned counsel.

6. The Applicant stays at Nashik with her two daughters and old age parents. The distance between Nashik to Pune is more than 200 km. She is finding difficult to attend the dates of Petition filed by the Respondent. It is settled principal of law that the Court has to consider the convenience of wife over the husband. Hence, I pass following order.

ORDER

(i) Application is allowed.

(ii) The Marriage Petition No.506 of 2022 pending before the Family Court, Pune be transferred to Family Court, Nashik.

(iii) Both the parties to appear before the Family Court at Nashik on 22nd April 2024.

(iv) The Respondent can file Application before the concerned Court for appearance through Video Conference. The concerned Court shall decide the said Application on its own merits.

(SHIVKUMAR DIGE, J.)