

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

MISCELLANEOUS CIVIL APPLICATION NO. 313 OF 2023

Punam Kashiram Autade

....Applicant

Versus

Kashiram Nanasaheb Autade

....Respondent

Mr. Yuvraj Patil a/w Mr. Pratik Sabrad, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd APRIL, 2024.

P.C. :

1. By this application, Applicant is seeking transfer petition pending before the Civil Judge, Senior Division, Kopergaon, Ahmednagar to Civil Judge, Senior Division, Niphad, Nashik.
2. It is contention of learned counsel for the Applicant that Applicant stays with her parents at Narayangaon, Tal. Niphad Dist: Nashik. The distance between Narayangaon, Tal. Niphad to Kopergaon, Dist: Ahmednagar is more than 50 km. The Applicant is finding difficult to attend the Court's date at Kopergaon. Hence, requested to allow the Application.
3. Though Respondent served, none present for the Respondent. Sufficient chances are given to the Respondent to go on

with the matter. Today also none present for the Respondent hence, I am deciding this Application on merit.

4. I have heard learned counsel for the Applicant.

5. Applicant stays with her parents at Narayangaon, Tal. Niphad. The distance between Narayangaon, Tal. Niphad to Kopargaon, Dist: Ahmednagar is more than 50 km. The Applicant is finding difficult to attend the Court's date at Kopargaon. It is settled principle of law that convenience of the wife has to be considered over the husband in the case of transfer petition.

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

ORDER

- i. Application is allowed.
 - ii. The marriage petition No.111 of 2023 pending before the Civil Judge, Senior Division, Kopargaon, Dist: Ahmednagar be transferred to Civil Judge, Senior Division, Niphad, Dist: Nashik.
 - iii. Both parties to appear before the Civil Judge, Senior Division, Niphad, Dist: Nashik on 25th April, 2024.
- . The Miscellaneous Civil Application stands disposed of.

(SHIVKUMAR DIGE, J.)