

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO.368 OF 2023**

Shailaja Kuldeep Chougule
Versus

....Applicant

Kuldeep Bajranj Chougule

....Respondent

Ms. Poonampal i/b Mr. Sachin Hande, Advocate for the Applicant.
Mr. Ramdas Shelke, Advocate for the Respondent.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 20th MARCH, 2024.

P.C. :

1. By this application, Applicant is seeking transfer of divorce petition pending before the Family Court, Kolhapur to Family Court, Sangli.
2. Learned counsel for the Applicant submits that Applicant is suffering from Tuberculosis, she is fully dependent on the income of old age parents. She stays with her 9 year old son at Sangli. She is finding difficult to travel from Sangli to Kolhapur. Hence, requested to allow the Application.
3. Learned counsel for the Respondent submits that Applicant has cured from the tuberculosis. The distance between Kolhapur to Sangli is

46 km. Applicant has filed DV proceedings at Miraj Court. Respondent has to travel Sangli and Miraj Court, if application is transferred. Learned counsel further submitted that Applicant is M.com graduate whereas, Respondent is 12th pass. There is travelling facility from Sangli to Kolhapur. Hence, requested to reject the Application.

4. I have heard both learned counsel. Applicant stays with her 9 year old son at Sangli. She is dependent on the income of old age parents. She is suffering from tuberculosis. The distance between Sangli to Kolhapur is 46 km. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer of petition and, I pass following order.

ORDER

- i. Application is allowed.
- ii. The marriage petition No. A-224 of 2023 pending before the Family Court, Kolhapur be transferred to Family Court, Sangli.
- iii. Both the parties to appear before the Family Court, Sangli on 22nd April, 2024.

. Miscellaneous Civil Application stands disposed of.

(SHIVKUMAR DIGE, J.)