

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 29 OF 2023**

Manjusha Abhishek Jondhale	...	Applicant
versus		
Abhishek Prakash Jondhale		Respondent

Mr. Sachin Gite, Advocate for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th APRIL, 2024.

P.C. :

1. Heard learned counsel for the applicant.
2. By this application, the applicant is seeking transfer of divorce petition filed by respondent-husband which is pending before the Civil Judge, Senior Division at Pune to the Family Court at Nashik.
3. It is the contention of learned counsel for the applicant that the applicant stays at Nashik with her parents. The applicant has filed petition for restitution of conjugal rights, which is pending before the Family Court at Nashik. To counter it, respondent-husband has filed divorce petition, which is pending, before the Civil Judge, Senior Division at Pune. The distance between Nashik to Pune is more than 200 kilometers. The applicant is finding it difficult to attend the Court's dates at Pune. Hence, requested to allow the application.

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KADAM**

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4. Though respondent is served, none present for the respondent. Hence, I am deciding this application on merits.

5. The applicant stays at Nashik with her parents. The applicant is finding it difficult to attend the Court's dates at Pune. The distance between Nashik to Pune is more than 200 kilometers. It is settled principle of law that convenience of the wife has to be considered over the husband in case of transfer petition.

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

1. Application is allowed.
2. Petition No.759 of 2022 pending before the Civil Judge, Senior Division at Pune be transferred to Family Court at Nashik.
3. Both parties to appear before the Family Court at Nashik on 6th May, 2024.

Application stands disposed of.

(SHIVKUMAR DIGE, J.)