

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

MISCELLANEOUS CIVIL APPLICATION NO.399 OF 2023

Suvarna Purushottam Atram Applicant

V/s.

Purushottam Dhondiba Atram Respondent

Mr.Saurabh K.C. Raut, for the Applicant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 08th APRIL 2024

P.C:-

1. Heard learned counsel for the Applicant.

2. By this Application, the Applicant, Applicant is seeking transfer of Marriage Petition, filed by the Respondent-Husband, pending before the District Judge, Wardha to Family Court, Thane.

3. The learned counsel for the Applicant submit that, the Applicant is unemployed stays with her 10 years daughter. She has no source of income. She is finding difficult to attend Court dates at Wardha. The distance between Wardha to Thane is more than 700 k.m.

4. Though Respondent is served and sufficient chances given to the Respondent to argue the matter, but Respondent is absent. Hence, I am deciding this application on merit.

5. The Applicant stays with her 10 years son at Thane. The distance between Thane to Wardha is more than 700 k.m. The Applicant has unemployed. She has no source of income. Considering the reasons mentioned in the Application as well as it is settled principle of law convenience of the wife has to be considered while transferring the Petition over the husband.

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

ORDER

(i) The Marriage Petition No.12 of 2023 pending before District Court, Wardha be transferred to Family Court, Thane.

(ii) Both the parties to appear before the concerned Court on 30th April 2024.

(iii) The Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)