

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.396 OF 2023

Prajakta Ashish Kamble Applicant

V/s.

Ashish Deepak Kamble Respondent

Mr.Pandit Kasar, for the Applicant.

Mr.S.A. Malkani, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th FEBRUARY 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 Marriage Petition filed by the Respondent-Husband, which is pending before the Civil Judge Senior Division, Pune to Family Court, Nashik.

3. It is contention of the learned counsel for the Applicant that, the Applicant stays with her old age mother at Nashik. The Applicant is finding difficult to attend Court dates

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at Pune, which is more than 200 km from Nashik. Hence, requested to allow the Application.

4. The learned counsel for the Respondent-Husband submits that, the Respondent-Husband has no objection to allow the Application, but Respondent be permitted to appear before Nashik Court through Video Conferencing.

5. I have heard both learned counsel.

6. The Applicant stays with her old age mother. She is facing difficulty to attend the dates of Petition filed by the Respondent at Pune. It is settled principal of law while transferring the Petition, 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.1225 of 2023 pending before the C.J.S.D., Pune be transferred to Family Court, Nashik.
- (iii) 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.

(iv) Both the parties to appear before the concerned Court on 1st April 2024.

(SHIVKUMAR DIGE, J.)