

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 4 OF 2024

Gayatri Sagar Deshmukh

.. Applicant

Versus

Sagar Kishor Deshmukh

.. Respondent

-
- Ms. Rupa Singh i/by Mr. Rajan S. Pawar for Applicant
-

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 28, 2024

P. C.:

1. Heard Ms. Singh, learned Advocate for Applicant.

2. At the outset, Ms. Singh would submit that Respondent has been duly served by Petitioner on 24.06.2024. Copy of the acknowledgment has been placed on record. I have perused the same and returned it back to Ms. Singh. Affidavit of service is permitted to be filed in the Registry within one week from today. Hearing in the Application cannot be protracted.

3. By the present Misc. Civil Application (MCA), Applicant seeks transfer of proceedings bearing Petition No. A-459/2021 pending before the Family Court, Pune to the Family Court, Nashik.

4. Perused the Application. Apart from the proximity of distance which is about 150 kms, Applicant is dependent on her old parents as also there are four other proceedings pending between the parties in

Nashik. Grounds of hardship are stated in paragraph Nos. 14 of the Application. It has been well stated in the decision of the Supreme Court in the case of **N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha**¹ that given those prevailing socio-economic paradigm in Indian Society generally it is wife's convenience that has to be looked at while considering the transfer.

5. In view of the above, MCA is allowed in terms of prayer clause (b) which reads thus:-

(b) That this Hon'ble Court be pleased to transfer the proceedings bearing Petition A- No. 459 of 2021 pending on file before Learned Family Court, Pune to Ld. Family Court, Nashik Road, Nashik.

6. Both the Courts shall take cognizance of a server copy of this order and act accordingly.

7. Misc. Civil Application is allowed and disposed.

[MILIND N. JADHAV, J.]

Amberkar

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by RAVINDRA
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1 AIR 2022 SC 4318