

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

MISCELLANEOUS CIVIL APPLICATION NO.63 OF 2024

Sonali Chetan Godbole Applicant

V/s.

Chetan Vijaykumar Godbole Respondent

Mr.Vaibhav V. Ugle a/w Mr.Vikas Somawanshi, Mr.Roshan Chavan, for the Applicant.

Mr.Avinash Tadlapurkar, for the Respondent.

CORAM : ARUN R. PEDNEKER, J.

DATE : 13th JUNE 2024

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2024.06.18
10:47:50 +0530

P.C:-

. Heard learned counsel for the parties.

2. The present Application is filed by the Applicant-Wife seeking transfer of the proceedings initiated by the Respondent-Husband under Section 9 of the Hindu Marriage Act at Kolhapur.

3. The learned counsel for the Applicant submits that the Applicant married with Respondent-Husband on 22nd August 2016 and that she has custody of the five years old son,

born out of the said wedlock. Due to certain matrimonial dispute the wife is now residing with her parents at Pune and that she has also initiated Divorce proceedings at Pune. The learned counsel further submit that it would be inconvenient for the wife to attend the proceedings at Kolhapur initiated by the Respondent-husband and the Respondent-Husband is already attending the Court proceedings initiated by the Applicant-Wife at Pune. As such, the proceedings initiated by the Respondent-Husband be transferred at Pune.

4. Per contra, the learned counsel for the Respondent-Husband submits that the wife is well qualified and she can attend the said proceedings at Kolhapur.

5. Considering the convenience of the Applicant-Wife and more particularly that she has custody of the 5 years old son and that the Respondent-Husband is already attending the Divorce proceedings at Pune, the Application is allowed in terms of prayer Clause (a). However, it is further directed that on such transfer of proceedings the Applicant-Wife would not seek unnecessary adjournment in the proceedings initiated by the

Respondent-Husband to avoid inconvenience to the Respondent-Husband. In any event, she seeks adjournment she should inform the husband well in advance. It is further directed that asfar as possible the common dates be taken in both these proceedings, so also the Court at Pune to permit the Respondent-Husband whenever possible to appear through Video Conferencing.

6. With the above direction the Application is allowed and disposed of.

(ARUN R. PEDNEKER, J.)