

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 70 OF 2024**

Madhuri Maruti Kondekar ... Applicant
versus
Maruti Vishnu Kondekar Respondent

Ms Suvarna Yadav, Advocate for the Applicant.

CORAM : ARUN R. PEDNEKER, J.

DATE : 18th JUNE, 2024.

P.C. :

1. Heard learned counsel for the applicant.
2. The present application is filed by the applicant seeking transfer of the divorce proceedings initiated by the respondent-husband before the Civil Judge, Senior Division, Vasai, District-Palghar to the Civil Judge, Senior Division, Ichalkaranji, District Kolhapur.
3. It is the case of the applicant-wife that she married the respondent-husband on 31st May 1997 as per Hindu rites and there are two children born out of the wedlock. She submits that due to certain matrimonial disputes, the applicant along with her two children are now residing with her parents at Kolhapur. She submits that the respondent-husband is working at Palghar and has sufficient means to attend the proceedings at Ichalkaranji, District- Kolhapur. She further submits that the respondent-husband is not provided any financial assistance for her medical treatment, so also for the maintenance of her two children. She

submits that it would be difficult for her to attend the proceedings at Vasai, as such, she seeks transfer of the proceedings initiated by the respondent-husband at Vasai Court, District Palghar to Ichalkaranji, District Kolhapur.

4. The respondent, though served, has not entered appearance.

5. For the reasons stated in the application that she has to manage her two children along with herself and that she is only educated upto 9th standard, it would be inconvenient for her to attend the divorce proceedings initiated by her husband at Vasai. The application is allowed in terms of prayer clause (a) as under:

“(b) This Hon’ble Court may be pleased to transfer the H.M.P.No.205 of 2023 from the Court of Civil Judge, Senior Division, Vasai to Court of Civil Judge, Senior Division, Ichalkaranji, Dist-Kolhapur;”

5. On such transfer, it is directed that the applicant-wife would not seek adjournments in the matter without informing the respondent-husband well in advance so to avoid inconvenience to the husband to travel to Ichalkaranji so also, the Court at Ichalkaranji is directed to permit the respondent-husband to appear through video conferencing wherever possible.

6. With the above observations, the application is disposed of.

(ARUN R. PEDNEKER, J.)