

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.318 OF 2024

Monali Honakatti alias Monali Uttam Gavali .. Applicant
Versus
Gururaj Honkatti .. Respondent

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- Ms. Rutja Khivansara, Advocate for Applicant (appearing through V.C.)
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 16, 2024

P.C.:

- 1.** Heard Ms. Khivansara, learned Advocate for Applicant appearing through Video Conferencing. None present for Respondent, despite being served.
- 2.** Application is filed by Applicant seeking transfer of Marriage Petition No.209 of 2023 filed by Respondent before Civil Judge Senior Division, Ichalkaranji, Kolhapur to the Family Court at Pune.
- 3.** Applicant is having a five year old son and she resides with him in Pune. Applicant has recently in June 2024 received an offer letter from a school in Pune to join the school as a computer teacher. Applicant has also averred that it is true that marriage between Applicant and Respondent took place in Ichalkaranji, Kolhapur, however since marriage, Applicant and Respondent have resided in Pune and merely to harass the Applicant the Marriage Petition has

been filed by the Respondent in Ichalkaranji, Kolhapur,

4. Ms. Khivansara would submit that Respondent has his family House in Ichalkaranji, Kolhapur but the Applicant is completely helpless in so far as having any assistance in Ichalkaranji. The hardship is evident when details of costs incurred by Applicant for every trip undertaken from Pune to Ichalkaranji, Kolhapur as stated in the Application is seen. The same cannot be doubted at all. That apart, Applicant is also required to travel with her five year old son and undertake the journey of 239.9 kilometers from Pune to Ichalkaranji. The hardship is clearly evident and therefore the Application deserves to be allowed. It is seen that Respondent himself works in an international logistics Company and is based in Pune. This fact clearly revolts against the Respondent in maintaining the Marriage Petition in Ichalkaranji. To give one opportunity to Respondent to remain present on the next adjourned date, Application stands deferred for passing final order after hearing the Respondent. Respondent may raise his objections, if any.

5. Copy of this order shall be served on Respondent by Advocate for the Applicant. It is seen that Application has already been served on Respondent and Affidavit-of-service dated 09.07.2024 is placed on record. If Respondent does not remain present on the next date despite being served with a copy of this order by any

permissible mode of service, the Application shall allowed by this Court, if it is shown to the Court that the Respondent is served with this order copy.

6. Stand over to **23rd August, 2024.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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