

Ajay

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

**MISC. CIVIL APPLICATION NO. 372 OF 2024**

|                          |               |
|--------------------------|---------------|
| Ranjita Ramji Bhangе     | .. Applicant  |
| <b>Versus</b>            |               |
| Swapnil Manikrao Meshram | .. Respondent |

- .....
- Mr. Harshwardhan Akolkar, Advocate for Applicant.
  - None for the Respondent.

.....  
**CORAM : MILIND N. JADHAV, J.**  
**DATE : AUGUST 29, 2024.**

**P.C.:**

- 1.** Heard Mr. Akolkar, learned Advocate for Applicant.
- 2.** Though served, none appears for the Respondent. Affidavit of service dated 23.08.2024 is filed in the Registry. Copy of the same is shown to me in Court.
- 3.** Applicant seeks transfer of the Marriage Petition filed by the Respondent in the Family Court at Nagpur to the Family Court at Thane. Applicant is residing in Kalyan with her mother and her brother. Apart from the proximity of distance, the grounds of hardship are enumerated in paragraph No.5(a) to 5(l). Some of the grounds are clearly evident of the hardship which the Applicant – wife is undergoing. The distance between the two destinations is almost 800 kms. and therefore she undoubtedly would have difficulty to attend the proceedings in Nagpur.

4. The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure, 1908 (for short “CPC”) is that the ends of justice should demand the transfer of the proceedings as etched out by the Supreme Court in the case of *N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha*<sup>1</sup>. The present case as also the grounds enumerated in the MCA clearly deserve immediate consideration in that regard. I have perused the grounds and I fully agree with the submissions made by the learned Advocate for Applicant. There can be no impediment in allowing the MCA under Section 24 of the CPC.

5. In view of the above, MCA stands allowed in terms of prayer clause ‘a’ which reads thus:-

*“(a) The Hon’ble Court be pleased to call upon the records and proceedings of Petition No. A/319/2023 pending on file of the Hon’ble Principal Judge Family Court at Nagpur and transfer the same to Hon’ble Family Court, at Thane.”*

6. With the above directions, MCA is allowed and disposed.

[ MILIND N. JADHAV, J. ]

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1 AIR 2022 SC 4318