



Jose

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION (MAIN) NO.4 OF 2025

ALISHA A. FERNANDES

... Petitioner.

Versus

JESUS EDUARDO SAVIO
FERNANDES

... Respondent.

Mr. Varun Bhandanker, Advocate for the Petitioner.

Mr. Michael A. Fernandes, Advocate for the Respondent.

CORAM: VALMIKI MENEZES, J.

DATED: 11th July, 2025

P.C:

1. Registry to waive office objections and register the matter.
2. This is an application seeking transfer of Matrimonial Petition No.45/2022/B from the file of the Civil Judge, Senior Division at Panaji, to the Court of the Civil Judge Senior Division at Quepem. The application is at the behest of the Defendant/wife on grounds that she resides at Curchorem, Quepem, Goa and has a four year old child who attends school at Sanguem, and consequently, is unable to attend the hearings of the suit at Panjim. The Applicant has further averred at para 9 of the petition that she works from home for a Medi Assist TPA involved in providing health services and insurance and

going through her work from home arrangements, she cannot afford to leave her home for long durations of time due to her work conditions.

3. The transfer application has been opposed by the Respondent who has filed an affidavit in reply.

4. The matrimonial suit at Panjim is now listed on 30.09.2025 for recording the evidence of the Respondent-husband. Obviously, since evidence has commenced in the suit, the presence of the Defendant in the suit i.e. the wife, would be required not just for giving instructions to the Advocate, but, very soon for leading her own evidence.

5. From the record, it also appears that the Petitioner/wife has filed a DV case being Case No.DVA/6/2022/B before the J.M.F.C. at Quepem, where the husband/Respondent has put in appearance and is otherwise appearing. The DV case is being contested by the husband before the Quepem Court.

6. Considering all these circumstances, and the grounds set out in para 9 of the petition, this is a fit case for transfer of Matrimonial Petition No.45/2022/B which is pending on the file of the Civil Judge Senior Division at Merces (North Goa District), to the file of the Civil Judge Senior Division at Quepem (South Goa District). Considering that the next date of hearing in this suit is 30.09.2025 at 10:00 a.m.,

the parties shall appear before the Civil Judge Senior Division, Quepem in this suit on 30.09.2025 at 10:00 a.m.

7. The Registry of the Court of Civil Judge Senior Division is requested to remit the file of the aforementioned suit to the Court of the Civil Judge Senior Division at Quepem within two weeks of the receipt of this order. Registry to communicate this order to the concerned Courts i.e. Court of Civil Judge Senior Division at Mercedes and Court of Civil Judge Senior Division at Quepem.

8. Parties to act on the authenticated copy of this order.

9. Application stands disposed of in the above terms.

VALMIKI MENEZES, J.