

Iresh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 103 OF 2024
WITH
INTERIM APPLICATION NO. 10745 OF 2025**

Rutuja Parag PatilApplicant

Vs.

Parag Jayantrao PatilRespondent

Mr. Kunjan Makwana i/b Mr. Viraj Shelatkar for the applicant
Mr. Chandrakant Jadhav for the respondent

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th SEPTEMBER 2025.

ORDER:

INTERIM APPLICATION NO. 10745 OF 2025:

1. By this application, applicant seeks to amend paragraph no. 15 in the Miscellaneous Civil Application.

2. Considering the submissions of the learned counsel for the applicant, application for amendment is allowed.

MISCELLANEOUS CIVIL APPLICATION NO. 103 OF 2024:

3. Heard learned counsel for the applicant. By this

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2025.09.15
15:09:27
+0530

application, applicant is seeking transfer of divorce proceedings filed by respondent, pending before Civil Judge Senior Division, Karad.

4. It is the contention of learned counsel for applicant that applicant is a lady. She stays at Kolhapur. She is facing difficulty to attend Court dates at Karad. Hence, requested to transfer the pending petition at Karad to Kolhapur.

5. It is the contention of learned counsel for respondent that applicant had filed maintenance petition before Karad Court. She contested it and the said petition is disposed of. Respondent is ready to bear travel expenses to the applicant. Hence, requested to reject the application.

6. Learned counsel for the respondent relied upon the decision in the case of *N.C.V. AISHWARYA Vs. A. S. SARVANA KARTHIK SHA*¹ and *Ketaki Prathamesh Salekar v. Prathamesh Ashok Salekar*².

7. I have heard both learned counsel. Applicant is lady. Respondent has filed divorce petition. The distance between

¹ Civil Appeal No. 4894 of 2022

² AIR Online 2020 Bom 562

Kolhapur to Karad is around 75 Kms. Applicant is facing difficulty to attend Court dates at Karad. It is settled law that convenience of wife has to be considered over husband. I have gone through the decisions cited by learned counsel for the respondent. The facts of cited cases and present case are different, hence, not applicable.

8. Considering these facts, I pass following order:

ORDER

I. Application is allowed.

II. Marriage Petition No. 244 of 2023 pending before Civil Judge Senior Division, Karad be transferred to the Family Court at Kolhapur.

9. Application is disposed of accordingly.

[SHIVKUMAR DIGE, J.]