

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 166 OF 2025

Aishwarya Vinayak Bhalkar ...Applicant
Versus
Vinayak Shrikant Bhalkar & Anr. ...Respondents

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Ms. Ankita Chidage i/b Mr. Nagesh Chavan, for Applicant.

Mr. Jaydeep Rasam, Advocate for Respondent No.1.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 12th NOVEMBER, 2025

P.C.

1. By this Application, the applicant is seeking transfer of Divorce Petition No.A-25 of 2025 pending before the Family Court at Kolhapur to Family Court at Sangli.

2. It is contention of learned counsel for applicant that the applicant stays at Sangli with her six years old son. The distance between Sangli to Kolhapur is around 47 Kms. The applicant is finding difficulty to attend the Court dates at Kolhapur. Learned counsel further submitted that the Respondent is attending the D.V. proceedings pending at Sangli. Hence, requested to allow the application.

3. It is contention of learned counsel for the Respondent that the Respondent has filed divorce proceedings against the applicant on the ground of adultery. All the witnesses are from Kolhapur. If this Petition is transferred at Sangli, the witnesses have to attend the Court dates at Sangli. Learned counsel further submitted that the respondent is ready to pay travel expenses to the applicant. One sessions case is also pending at Kolhapur. The applicant is attending the Court dates in the said matter. Hence, requested to reject the application.

4. I have heard both the learned counsels. The applicant is seeking transfer of divorce proceedings filed by the Respondent at Sangli. Though the distance between Sangli to Kolhapur is about 47 Kms., but the applicant stays with her six years old son. She is finding difficulty to take care of her son and attend the Court dates. It is settled principle of law that convenience of the wife has to be considered over the husband. The Respondent is attending the D.V. proceedings dates at Sangli. Considering these facts, I pass the following order:

ORDER

(i) Application is allowed;

- (ii) Divorce Petition No.A-25 of 2025 pending before the Family Court at Kolhapur be transferred to Family Court at Sangli.
- (iii) The Respondent can file an application before the concerned Court at Sangli to appear through V.C.
- (iv) The Learned Court shall decide the said application on its own merits.
- (v) The application is disposed off.

(SHIVKUMAR DIGE, J.)