

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

MISCELLANEOUS CIVIL APPLICATION NO. 244 OF 2025

Shradha Dheeraj Jagtap
@ Shradha Gokul Kale

...Applicant

Versus

Dheeraj Padmakar Jagtap

...Respondent

.....
Mr. Arvind M. Bhalerao, Through V.C. for Applicant.

Mr. Siddharth Shitole, for Respondent No.2.

.....

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th SEPTEMBER 2025

P.C.

1. By this Application applicant is seeking transfer of Divorce Petition No.A-08 of 2025 from the Family Court Kolhapur at Karveer to Family Court Nashik, Nashik Road, Nashik.

2. It is the contention of learned counsel for applicant that applicant is a lady. She has no source of income. She stays at Nashik. The travel time between Nashik to Kolhapur is around 8 to 10 hours. She is facing difficulty to come to Kolhpuar. Hence, requested to allow the application.

3. It is the contention of the learned counsel for Respondent that the respondent has filed Petition before the Family Court at Kolhapur for divorce. The respondent is Software Engineer at ISRO and he works at Gujarat. If Petition is transferred at Nashik, it would be difficult for respondent to attend the Court at Nashik. Hence, requested to reject the application.

4. I have heard both the learned counsel. The applicant has filed a Petition for restitution of conjugal rights against the respondent, which is pending at Family Court Nashik. The Respondent has filed divorce Petition against the applicant which is pending at Family Court Kolhapur. The distance between Kolhapur to Nashik is around 450 Kms. The applicant is a lady. She is facing difficulty to attend the Court at Kolhapur. It is settled principle of law that convenience of wife has to be considered over the husband. The respondents can be permitted to appear before the Family Court at Nashik through V.C. In view of the above, I pass the following order:

ORDER

- i. Application is allowed and disposed off;
- ii. Divorce Petition No.A-08 of 2025 be transferred from the Family Court Kolhapur at Karveer to Family Court Nashik, Nashik Road, Nashik

iii. The Respondent can file an application before the Family Court Nashik, for appearing through V.C. The learned Family Court shall decide the said application on its own merits.

(SHIVKUMAR DIGE, J.)