

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

MISCELLANEOUS CIVIL APPLICATION NO. 309 OF 2024

Minaz Mandar Kulkarni ...Applicant

Versus

Mandar Mandan Kulkarni ...Respondent

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Mr. Somnath Thengal i/by Mr. Dilip Shinde for Applicant.

Mr. Chetan Patil a/w Ms. Siddheswari R. Chavan a/w Mr. Prathamesh P. Magadum for Respondent.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 9th OCTOBER, 2025

P.C.

1. By this application, the applicant is seeking transfer of Marriage of Petition No.75 of 2024 pending before the Family Court Thane.

2. It is contention of learned counsel for applicant that the application stays at Thane with applicant's eight years daughter. The distance between Thane to Kolhapur is more than 300 Kms. The applicant is finding difficulty to attend the Court at Kolhapur. Hence, requested to allow the application.

3. It is contention of learned counsel for the Respondent that the Respondent is suffering from brain ailment. The medical papers

produced on record which shows respondent is unable to travel from Kolhapur to Thane. The Applicant can appear before the Family Court Kolhapur through V.C. and in case her physical presence is required, the respondent is ready to pay the travel expenses i.e. Rs.7,000/- per trip. Hence, requested to reject the application.

4. I have heard both the learned counsels. The applicant is seeking transfer of marriage Petition pending before the Family Court Kolhapur to Family Court Thane as she is finding difficult to attend the Court dates at Kolhapur. It appears from the medical papers produced on record that the Respondent is suffering from brain hemorrhage and he is unable to attend the Court dates at Thane. The Respondent is ready to provide travel expenses to the applicant, if physical presence is required at Family Court Kolhapur and applicant can attend the Court proceedings through V.C also. Considering these facts and medical problem of respondent, I pass following order :

ORDER

- (i) The Application is rejected.
- (ii) The respondent shall pay Rs.7,000/- per date to the applicant, in case her physical presence is required before the Family Court at Kolhapur and Respondent shall pay the

said expenses on the day when she come to Kolhapur for attending the Court.

- (iii) Interim relief granted earlier stands vacated.
- (iv) The application is disposed off.

(SHIVKUMAR DIGE, J.)