

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

MISC. CIVIL APPLICATION NO. 330 OF 2025

Mrs Kiran Omkar Ganpatye ...Applicant
Versus
Mr. Omkar Guruduti Ganpatye ...Respondent

Mr. Mohit Dalvi a/w Mr. Ashish Loke Advocate for the Applicant
Mr. Saket Mohe a/w Ms. Srushti Thorat, Mr. Manoj Sable a/w Mr. N.
G. Kamble i/b Vidhi Partners for respondent

CORAM : SHIVKUMAR DIGE, J.
DATE : 4th NOVEMBER, 2025.

P.C.

1. Heard learned counsel for the applicant. Learned counsel for the Respondent tendered affidavit-in-reply. It is taken on record.
2. By this application, the applicant is seeking transfer of Petition A/289/2025 pending before the Family Court No. 5, Pune to the Court of Civil Judge Senior Division, Sindhudurg-Oros.
3. It is contention of learned counsel for applicant that the applicant stays at village Gaavrai, Taluka Kudal. The applicant has lost her father. She stays with her mother. The applicant has no source of income to attend the Court dates at Pune. The applicant has to travel from her place to Kudal and therefrom to Pune. The applicant

is finding it difficult to attend Court dates at Pune. Hence, requested to allow the application.

4. It is the contention of learned counsel for the respondent, that respondent is taking care of his daughter who is 8 years old. The respondent has his own business. The respondent cannot attend Court dates at Sindhurg-Oros by carrying his 8 years old daughter. Hence, requested to reject the application.

5. I have heard both learned counsels. Respondent is attending Court proceedings at Sindhurg filed by the applicant under the provisions of Protection of Women from Domestic Violence Act, 2005. Respondent can attend Court proceedings through video conferencing and if required, he can attend personally. It is settled principle of law that convenience of wife has to be considered over the husband.

6. Considering these facts, I pass following order:

ORDER

I. The application is allowed.

II. Petition A/289/2025 pending before the Family Court No. 5, Pune be transferred to the Court of Civil Judge Senior Division, Sindhurg-Oros.

III. Respondent can file application before Civil Judge Senior Division, Sindhudurg-Oros for appearance through video conferencing.

IV. The learned Trial Court shall decide the said application.

7. The application is allowed and disposed off in above terms.

(SHIVKUMAR DIGE, J.)