



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO.262 OF 2024**

Sonali Sunil Mahadik	...	Applicant
versus		
Sunil Ramchandra Mahadik	...	Respondent

Mr. Saransh D. Sonar i/by Mr. Ravi Gite, for Applicant.

CORAM: N.J.JAMADAR, J.

DATE : 2 MAY 2025

P.C.

1. Heard the learned Counsel for the Applicant.
2. Learned Counsel for the Applicant submits that in terms of the order dated 21 March 2025, the Respondent has been served through an Advocate who represented the Respondent in Hindu Marriage Petition No.A-1250 of 2022.
3. This is an application for transfer of Hindu Marriage Petition No.A-1250 of 2022 from the Family Court at Bandra to the Family Court at Pune.
4. Since the efforts of the applicant to serve the Respondent through the Court and privately, did not materialize and the notices were returned unserved with the remarks like 'door locked' and 'intimation posted', the applicant was directed to serve the Respondent through an Advocate who represented the Respondent before the Family Court at Bandra, in Marriage Petition No.A-1250 of 2022. An affidavit of service is filed, which indicates that

the Respondent has been duly served through the Advocate who represented the Respondent in Family Court at Bandra. None appears for the Respondent.

5. The marriage of the applicant was solemnized with the Respondent on 30 March 2000. In the wake of the harassment and illtreatment meted out to the applicant, the applicant was constrained to reside at Pune along with her three daughters. The applicant has also filed proceeding under the Protection of Women from Domestic Violence Act, 2005 before the Court of learned Magistrate at Pune, being Criminal M.A.No.1191 of 2022. The applicants find it extremely inconvenient to attend the proceedings at Family Court, Bandra, Mumbai and effectively defend the same.

6. The averments in the application have gone uncontroverted. The applicant is residing with her three daughters at Pune. The applicant would find it extremely inconvenient and onerous to attend the proceeding before the Family Court at Bandra. The applicant does not seem to have logistical and financial support to effectively defend the proceeding at Mumbai. It is trite, in the matter of transfer of matrimonial proceeding, ordinarily, it is the convenience of the wife that commands preference. I am, therefore, inclined to allow the application.

7. Hence, the following order :

ORDER

- (i) The Application stands allowed.
- (ii) Marriage Petition No.A-1250 of 2022 stands transferred from the Family Court, Bandra Mumbai to the Family Court at Pune, for hearing and disposal in accordance with law.
- (iii) The learned Judge, Family Court, Bandra, Mumbai shall transfer the record and proceedings in Petition No.A-1250 of 2022 with such dispatch that it reaches the Family Court at Pune, within a period of four weeks from the date of communication of this order.
- (iv) No costs.

(N.J.JAMADAR, J.)