

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 336 OF 2024

Smita Vishal Mahadik

...Applicant

Versus

Vishal Vilas Mahadik

...Respondent

SANTOSH
SUBHASH
KULKARNI

Digitally signed by
SANTOSH
SUBHASH
KULKARNI
Date: 2025.01.23
14:24:32 +0530

Ms. Namrata Shenoy, a/w Priyanka Mahadeshwar, for the
Applicant.

CORAM: N. J. JAMADAR, J.
DATED: 10th JANUARY, 2025

ORDER:-

1. Heard the learned Counsel for the applicant.
2. By an order dated 18th September, 2024 notice was issued to the respondent.
3. The office report indicates that the notice has been duly served.
4. None appears for the respondent.
5. The applicant – wife seeks transfer of Hindu Marriage Petition, being Petition No.65 of 2023, instituted by the respondent – husband for dissolution of marriage before the Court of Civil Judge, Senior Division, Khed, District Ratnagiri to the Family Court at Bandra.

6. In the application, it is asserted that, the applicant resides at Malad (East) with her brother. The applicant is unable to maintain herself. She has to look after a three year old child. The distance between Mumbai and Khed is more than 225 kms. The applicant has no means to effectively defend the proceedings at Khed. The applicant would suffer extreme inconvenience and hardship if she is required to attend the proceedings at Khed.

7. In view of the aforesaid assertions in the application, which have remained uncontroverted, as the respondent chose not to appear despite service of notice, the transfer of the proceedings to the Family Court at Bandra, Mumbai, appears expedient in the interest of justice.

8. Hence, the following order:

: O R D E R :

- (i) The application stands allowed in terms of prayer clause (a).
- (ii) Petition No.65 of 2023 pending on the file of the learned Civil Judge, Senior Division, Khed, District Ratnagiri, stands transferred to the Family Court at

Bandra. for hearing and disposal in accordance with law.

(iii) The learned Civil Judge, Senior Division, Khed, shall transfer the record and proceedings in Petition No.65 of 2023 with such dispatch that it reaches the Family Court at Bandra within a period of four weeks from the date of communication of this order.

(iv) Application stands disposed.

No costs.

[N. J. JAMADAR, J.]