

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

MISC. CIVIL APPLICATION NO. 461 OF 2024

Pallavi Sagar Shirke and ors. ...Applicants

Versus

Sagar Vilas Shirke ...Respondent

Mr. Kuldeep Nikam, a/w Prasad Avhad, for the Applicants.

CORAM: N. J. JAMADAR, J.

DATED: 9th MAY, 2025

PC:-

1. Heard the learned Counsel for the applicants.
2. This is an application for transfer of HMP/78/2024 from the Court of Civil Judge, Senior Division, Baramati to the Family Court at Bandra.
3. The marriage of the applicant was solemnized with the respondent on 29th October, 2020. In the wake of the marital discord, the applicant No.1 was constrained to reside at Mumbai with applicant Nos.2 and 3, who are her parents, alongwith a 3½ year old daughter. With a view to harass the applicant, the respondent has instituted a petition for dissolution of marriage under Section 13(1)(ia) of the Hindu Marriage Act, 1955. The applicant finds it extremely

inconvenient to attend the proceeding at Baramati, Pune.

Hence, this application.

4. The office report indicates that the notice has been duly served on the respondent. None appears for the respondent. The averments in the application have gone unchallenged.

5. It appears that applicant Nos.1 to 3 would suffer inconvenience and hardship if the marriage petition is tried before the Court at Baramati, Pune. Applicant No.1 has to take care of her 3½ year old daughter as well. The element of convenience tilts in favour of the applicants and I am, therefore, inclined to allow the application.

6. Hence, the following order:

: O R D E R :

- (i) The application stands allowed.
- (ii) HMP/78/2024 pending on the file of Civil Judge, Senior Division at Baramati stands transferred to the Family Court at Bandra, for hearing and disposal in accordance with law.
- (iii) The learned Civil Judge, Senior Division, Baramati, shall transfer the record and proceedings in HMP/78/2024 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.]