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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 477 OF 2024

Sneha Ankan Ashish ... Applicant
v/s.
Ankan Binodkumar Ashish ... Respondent

Mr. Sumedh S. Modak for the Applicant.
None for the Respondent.

CORAM : Kamal Khata, J.
DATED : 02nd July 2025.

P.C.:-

1. Despite service, none appears on behalf of the Respondent. The affidavit of service dated 2nd July, 2025 records that the Respondent has refused service.

2. This Miscellaneous Civil Application under Section 24 of the Civil Procedure Code, 1908 seeks transfer of the proceedings bearing Petition No.A/1426 of 2024 filed by the Respondent before the learned Family Court No.7, Pune to the Court of learned Civil Judge Senior Division, Kalyan.

3. It is submitted that the marriage was solemnized on 21st November, 2021 as per the Hindu rites at Khandala. The daughter was born out of the wedlock. After the child was borne, the Respondent was not working and therefore, the Applicant was required to spend Rs.50,000/- for a month to provide expenses for her child. On account of the indifferent behaviour of the Respondent, the Applicant underwent mental pain and the agony. The Respondent has filed a Divorce Petition bearing No. A/1426 of 2024 on the ground of cruelty before the learned Family Court No. 7, Pune.

4. The Applicant is a Dentist by profession and is required to attend various hospitals between Badlapur to Thane and is also required to take care of her daughter. It is therefore causing her immense prejudice and inconvenience to travel with or without her daughter from Kalyan to Pune to attend the proceedings. It is therefore submitted that in that view the Apex Court decision in the case of *N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha*¹, wherein it is held that wife's convenience must be considered for deciding her transfer proceedings, the Application for transfer be allowed.

5. Heard learned counsel for the Applicant.

¹ AIR 2022 sc 4318

6. For the reasons stated in the Application and being satisfied with the submissions made, the Application is allowed in terms of prayer clause (b) which reads as under:

“b) This Hon'ble Court be pleased to order transfer of the proceedings bearing Petition No. A/1426 of 2024 filed by the Respondent before the Ld. Family Court No.7, Pune to the Court of Ld. Civil Judge, Senior Division, Kalyan;”

7. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J.)