



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO.499 OF 2024**

Sarika Amol Shinde	...	Applicant
versus		
Amol Lahu Shinde	...	Respondent

Mr. Vishal A. Patil with Mr. Afsan Ansari, for Applicant.

CORAM: N.J.JAMADAR, J.

DATE : 2 MAY 2025

P.C.

1. Heard the learned Counsel for the Applicant.
2. None appears for the Respondent.
3. Office report indicates that the Respondent has been duly served.
4. This is an application for transfer of Marriage Petition No.93 of 2024 from the Court of Civil Judge, Sr. Division, Vaduj to the Civil Judge, Sr. Division at Panvel, Raigad.
5. The marriage of the applicant was solemnized with the Respondent on 10 July 2023. In the wake of the marital discord, the applicant was allegedly turned out of the matrimonial home. The applicant has been constrained to take shelter at her sister's house at Panvel. The Respondent has instituted a Petition for restitution of conjugal rights before the Court of Civil Judge, Sr. Division, Vaduj. Having regard to the distance between Panvel and Vaduj and the situation in life of the applicant, it would be extremely inconvenient to

travel to Vaduj and effectively defend the proceeding. Hence, this application.

6. The averments in the application have gone uncontroverted. A notice of this application was served on the Respondent at Bhandup address mentioned in the cause title. The applicant would suffer extreme inconvenience and hardship if she is made to travel to Vaduj to defend the said proceeding. It is trite, in the matter of transfer of matrimonial proceedings, 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.93 of 2024 stands transferred from the Court of Civil Judge, Sr. Division Vaduj to the Court of Civil Judge, Sr. Division, Panvel, for hearing and disposal in accordance with law.

(iii) The learned Civil Judge, Sr. Division at Vaduj, shall transfer the record and proceedings in Marriage Petition No.93 of 2024 with such dispatch that it reaches the Court of Civil Judge, Sr. Division at Panvel, within a period of four weeks from the date of communication of this order.

(iv) No costs.

(N.J.JAMADAR, J.)