



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

MISC. CIVIL APPLICATION NO. 74 OF 2025

Ashwini Amolkumar Godbole @ Ashwini Pandurang Bahadure
Vs.
Amolkumar Rambhau Godbole

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri J. S. Chilotra, Advocate for applicant.
None for non-applicant.

CORAM :- M. W. CHANDWANI, J.

DATED :- 08.08.2025

Heard.

2. The applicant/wife is seeking transfer of Petition No. A/2185/2023 filed by the non-applicant/husband from the file of Family Court at Bandra, Mumbai to Family Court at Nagpur.

3. The contention is that, the applicant has also filed a petition for divorce under Section 13 of the Hindu Marriage Act, 1955 before the Family Court at Nagpur apart from the application for grant of maintenance under Section 125 of the Code of Criminal Procedure, which is also pending before the Family Court at Nagpur. The distance between Nagpur and Mumbai is more than 700 kms. and the applicant has a minor son. Therefore, it will be inconvenient for the applicant to travel from Nagpur to Mumbai to attend the proceedings.

4. Though, the non-applicant has been served but he choose not to appear in the matter.

5. Considering the distance between Mumbai and Nagpur and the fact that the applicant will have to commute from Bandra to CSMT to and fro, coupled with the fact that the applicant is a lady who has a two year old son, whom she will have to leave behind at Nagpur, it will be difficult for her to attend the proceedings at Bandra, Mumbai.

6. In the case of *N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha [2022 AIR SC 4318]*, it has been held by the Supreme Court that the convenience of the wife is to be considered while dealing with the application for transfer. Considering the balance of convenience and the material available on record, a case is made out for transfer of the petition from the Family Court at Bandra, Mumbai to the Family Court at Nagpur.

7. Hence, the application is allowed. Petition No. A/2185/2023 pending on the file of the Family Court at Bandra, Mumbai is directed to be transferred to the Family Court at Nagpur.

(M. W. CHANDWANI, J.)