



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

MISC. CIVIL APPLICATION NO. 207 OF 2025

Smt. Seema Pradeep Khandare Vs. Pradeep Srirang Khandare

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

Court's or Judge's Order

Ms. S. H. Bhatia, Advocate (appointed) for applicant.
Ms. Priyanka Arbat, Advocate for non-applicant.

CORAM :- M. W. CHANDWANI, J.

DATED :- 01.08.2025

Heard.

2. By the present application, the applicant is seeking transfer of Marriage Petition No. A/2640/2022 filed by the non-applicant/husband before the Family Court at Bandra, Mumbai to Family Court, Akola.

3. The contention is that, the distance between Akola to Mumbai is more than 600 kms. The applicant is totally dependent on her parents, there is nobody to accompany her to attend the proceedings at Mumbai and she has no source of income. Therefore, she seeks transfer of the petition.

4. Conversely, the non-applicant/husband objected to the application on the ground that he is the only son to his parents and is running a catering business. Attending the Court at Akola will effect his business and therefore, he sought rejection of the application.

5. The non-applicant/husband has filed the petition for divorce under Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955 before the Family Court at Bandra, Mumbai. There is no dispute that the applicant/wife is not earning and one can imagine the difficulty of a lady residing at Akola to attend the Court at Mumbai. It is not only the distance but also the fact that, after reaching Mumbai, the applicant/wife has to commute to and fro from Bandra to CSTM/Dadar in a big city like Mumbai. Whereas, the non-applicant/husband is a person who is running catering business. In the case of *N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha [2022 LiveLaw (SC) 627]*, it has been held that the convenience of the wife is to be considered.

6. In view of the above, I am of the view that a case is made out for transfer of the petition. Hence, the application is allowed.

7. It is directed that Marriage Petition No. A/2640/2022 pending on the file of Family Court, Bandra, Mumbai be transferred to Family Court, Akola.

8. The Secretary, High Court Legal Services Sub-Committee, Nagpur to quantify the fees of the learned counsel appointed to represent the applicant.

(M. W. CHANDWANI, J.)