IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 23 OF 2026

Rupali Amol Waghmare ...Applicant

Versus

Amol Madhukar Waghmare ...Respondent

Mr. Sharad Bhosale, for the Applicant.
Mr. Sunil Kamble a/w Mr. Sandesh Kamble, for the Respondent.

Coram : SHARMILA U. DESHMUKH
Date : OCTOBER 29, 2026

P. C. :

1. The application has been preferred under Section 24 of the Code of Civil Procedure, 1908, seeking transfer of Marriage Petition No. 21 of 2025 from the Court of the Civil Judge Senior Division, Ichalkaranji to Civil Judge Senior Division, Barshi, District Solapur.

2. Learned counsel for the Applicant submits that the Applicant has filed domestic violence proceedings at Barshi seeking maintenance for herself and her minor daughter. He would further submit that the Applicant is unemployed, the distance between Barshi and Ichalkaranji is about 280 kms, and it is not possible for the Applicant to travel on each and every date of hearing due to financial constraints, as also due to the fact that her daughter is minor and needs to be looked after.

3. Learned counsel for the Respondent opposes the application and

would submit that the Applicant has been travelling from Barshi to Ichalkaranji and there is no need to transfer the proceedings.

4. It is well-settled that the convenience of the wife has to be taken into consideration. The distance between Ichalkaranji and Barshi is about 280 kms, and it is not demonstrated that the Applicant is having sufficient source of income. In addition, the responsibility of the minor daughter is upon the Applicant, and therefore, case has been made out for transfer of the proceedings from Ichalkaranji to Barshi. The Miscellaneous Civil Application is therefore allowed in terms of prayer clause (a).

> *"a) This Hon'ble Court be pleased to transfer the Marriage Petition No. 21 of 2025 pending at the file of Ld. Civil Judge Senior Division, Ichalkaranji to the file of Ld. Civil Judge Senior Division, Barshi for its adjudication in the matter as per law;"*

5. Marriage Petition No. 21 of 2025 pending on the file of Civil Judge Senior Division, Ichalkaranji to be transferred to the file of Civil Judge Senior Division, Barshi.

6. Upon a query by this Court, learned counsel for the parties would submit that an effort can be made to settle the dispute through mediation. After transfer, the Civil Judge Senior Division, Barshi to appoint a mediator situated in Barshi for the purpose of exploring the possibility of settlement.

[SHARMILA U. DESHMUKH, J.]