

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 89 OF 2025

Madhavi Sainath Hegde

... Applicant

Versus

Sainath Govind Hegde

... Respondent

Adv. Vishwajit V. Nalawade and Adv. Umakant Waghmare i/by Mr. Milind Vishwasrao Deshmukh for the Applicant.

None for the Respondent.

CORAM : M.W. CHANDWANI, J.
DATE : 16th April, 2026.

P. C. :

1. Heard the learned counsel for the applicant. Nobody appears on behalf of the respondent, though duly served.
2. By the present application, the applicant seeks transfer of Marriage Petition No. 603 of 2023 from the file of the Civil Judge, Senior Division, Vasai, District Palghar, to the Family Court at Satara on the ground that the applicant, being a lady, has to travel all the way from Satara to Vasai, which is about 300 kms and it takes almost six hours to reach Vasai from Satara; the applicant has a minor son, and therefore it is difficult for her to undertake such travel; the applicant has no source of income.

3. Though the respondent has been served, nobody appears. Hence, the contentions made by the applicant on affidavit remain uncontroverted. Further, as held in the case of *N.C.V Aishwarya vs. A.S. Saravana Karthik Sha*¹ decided by the Hon'ble Apex Court, the convenience of the wife is required to be taken into consideration while considering transfer of case. The applicant, being a lady with a minor son of about 11 years of age, will face difficulty in travelling alone from Satara to Vasai and returning late at night.
4. Considering all these circumstances, a case is made out for transfer of the petition. Marriage Petition No. 603 of 2023 is directed to be transferred from the file of the Civil Judge, Senior Division, Vasai, District Palghar, to the Family Court at Satara. Accordingly, the Miscellaneous Civil Application is allowed.

[M.W. CHANDWANI, J.]

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