

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

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 366 OF 2025

Madhurima Krishnakant Mali ... Applicant

Versus

Krishnakant Balasaheb Mali ... Respondent

Adv. Kavita Anchan (Through VC) for the Applicant.

Mr. Pawar Nikhil Narendra a/w Manasi Patil for the Respondent.

CORAM : M.W. CHANDWANI, J.
DATE : 23rd April, 2026.

P. C. :

1. The Applicant seeks transfer of Marriage Petition No. 4 of 2025 from the Civil Judge, Senior Division, Islampur to the Civil Judge, Senior Division, Pimpri Chinchwad, Pune.
2. The application is mainly on the ground that, the Applicant is a working woman and is residing and working at Pune. It is also contended that, the Respondent is also a software engineer working in a company based at Pune.
3. The Applicant has filed DV proceedings, which are pending before the Judicial Magistrate First Class, Pimpri Chinchwad. These are undisputed facts.

TALLE
SHUBHAM
ASHOKRAO

Digitally signed by
TALLE SHUBHAM
ASHOKRAO
Date: 2026.04.24
19:07:04 +0530

4. The contention of the Respondent is that, although he works in Pune, he is mostly working from home.

5. It is brought to the notice of this Court that, the Applicant is having one flat at Pune. It is to be noted that, reliance is placed on the judgment of the Hon'ble Apex Court in *N.C.V Aishwarya vs. A.S. Saravana Karthik Sha*¹, wherein it has been held that the convenience of the wife must be considered while deciding an application for transfer.

6. Since DV proceedings have also been initiated by the Applicant before the JMFC, Pimpri Chinchwad, and the Respondent is required to appear in the said proceedings, coupled with the aforesaid circumstances, a case is made out for transfer of the petition. Hence, the following order:

a) Marriage Petition No. 4 of 2025 pending on the file of the Civil Judge, Senior Division, Islampur is directed to be transferred to the Civil Judge, Senior Division, Pimpri Chinchwad, Pune.

b) With these directions, the application stands disposed of.

[M.W. CHANDWANI, J.]

1 2022 SCC Online SC 1199