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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 15 OF 2026

Miss. Rupali Sanjay Malekar alias Mrs. Rupali Tejas Gaikwad … Applicant

vs.

Mr. Tejas Balaso Gaikwad … Respondent

Mr. Rahul R. Dubey a/w. Ms. Shradha Patil, Ms. Ayesha Ahmed i/b. Mr. Atmaram Patade for the Applicant.

CORAM : GAURI GODSE, J.

DATED : 16th OCTOBER 2026

ORDER:

VARSHA VIJAY RAJGURU
Digitally signed by VARSHA VIJAY RAJGURU
Date: 2026.10.17 10:58:41 +0530

1. This application is filed by the wife seeking transfer of the marriage petition filed by the respondent-husband from the Family Court at Pune to the Civil Court at Oras. Learned counsel for the applicant submits that he has carried out an amendment in the prayer clause(a) seeking to substitute the Family Court at Oras with the Civil Judge, Senior Division, Oras.

2. In the court copy, which is the printout of the miscellaneous civil application that was e-filed, the corrections made as per the order dated 7th July 2026 are not seen. Some of the corrections

regarding the address of the respondent and corrections in prayer clause (b) are seen in the court copy. Since, the application is e-filed, I have verified the soft copy shared on the drive. The soft copy shared on the drive contains the amendment in prayer clause (a).

3. It is a common experience of this court that due to network issues, the soft copies are most of the times are not accessible. Considering the difficulties faced in accessing the e-files, the hard copies of the proceedings are also placed before this court. Hence, whenever corrections are made in the e-file, the registry must place the printout of the amended application in the court file to avoid any discrepancy in the court record. The amended application must be placed in the court file. Learned Deputy Registrar shall ensure that amended applications are placed in the court file.

4. Office has placed on record a report dated 9th October 2026, stating that as per the order dated 12th August 2026, the court notice is served upon the respondent through e-mail. The report contains the annexure of the service through e-mail. As per the office remark, the respondent is served through bailiff on his address at Sangli. Despite giving opportunity to the respondent and affecting service through various modes, none appears for the respondent, though served.

5. Learned counsel for the applicant submits that the applicant is residing in District Sindhudurg and she is working at the same place. He submits that the applicant is handicapped and there are restrictions on her mobility. The medical certificate is annexed to the application. The minor child resides with the applicant at Sindhudurg. Considering the distance from Sindhudurg district to the Family Court at Pune, it is difficult for the applicant to travel along with the minor child. Hence, considering the medical issues of the applicant and the minor child residing along with the applicant, she would face difficulties and hardship in travelling upto Family Court at Pune.

6. I have perused the application. The applicant has pleaded the particulars regarding the medical condition of the applicant with the supporting medical certificate. Since, the applicant is residing in district Sindhudurg and is facing difficulties, considering her medical condition, it would be difficult and inconvenient for the applicant to travel upto Family Court, Pune. The respondent has neither filed any reply nor appeared before this court opposing the grounds raised for transfer. Considering the medical condition, financial constraint, the minor child residing with the applicant and the distance from Sindhudurg upto Family Court, Pune, the applicant

would face inconvenience and hardship to travel upto Pune. Hence, the applicant has made out a case for transfer as prayed.

7. For the reasons stated in the application, it is allowed in terms of prayer clause (a). The Marriage Petition No. A/2017 of 2025 is transferred from the Family Court, Pune to the Court of Civil Judge Senior Division, Oras.

8. The miscellaneous civil application is allowed in aforesaid terms.

9. A copy of this order be forwarded to the learned Deputy Registrar of Miscellaneous Civil Application Department for compliance with the directions issued in paragraph no.3 of this order.

(GAURI GODSE, J.)