rrpillai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 59 OF 2026

Dhanashree Rahul Ovhal … Applicant

Vs.

Rahul Bhagwan Ovhal … Respondent

Mr. Prashant Darandale a/w. Mr. Bajrang M. Solanke for the Applicant.

CORAM : GAURI GODSE, J.

DATE : 19th AUGUST 2026

ORDER :

1. This miscellaneous civil application is filed by the wife praying for transferring the divorce petition filed by the respondent-husband in the Family Court, Bandra to Family Court, Pune.

2. Despite service, none appears for the respondent.

3. Learned counsel for the applicant submits that she and her minor daughters are residing in Pune along with her brother. The daughters are 10 and 9 years old. The divorce petition is filed in the Family Court, Bandra only to harass the applicant and the daughters.

RAJESHWARI RAMESH PILLAI
Digitally signed by RAJESHWARI RAMESH PILLAI
Date: 2026.08.19 17:28:19 +0530

4. The applicant has filed an application under Section 144 of the The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) in the Family Court at Pune seeking maintenance for herself and the minor daughters. It was only after the maintenance application was filed that the respondent applied for divorce in the Family Court at Bandra. The applicant has no independent source of income and it is not possible for the applicant to travel from Pune to Bandra. He therefore submits that in view of the inconvenience, the distance from Family Court, Pune to Family Court Bandra and financial constraints, the applicant is seeking transfer.

5. None appears for the respondent to dispute the grounds of inconvenience pleaded in the application.

6. I have perused the application. The pleadings in the application is that applicant and the minor daughters would face severe inconvenience if the divorce petition filed by the respondent is continued at the Family Court, Bandra.

7. So far as respondent is concerned, there is nothing to indicate that it would not be possible for him to travel to Pune to attend the proceeding. Respondent is already appearing in the Family Court at Pune in the proceeding initiated by the

applicant.

8. Hence, in the facts and circumstances of the case, the applicant has made out a case to seek transfer as prayed. The application is therefore allowed in terms of prayer clause (a) which reads as under :

> (a) This Hon'ble Court be pleased to issue appropriate Writ or Order and or Direction and thereby transfer the proceedings of Hindu Marriage Petition A-1932/2025 filed under section 13(1)(ia) of Hindu Marriage Act 1955 filed by the Respondent from the Judge-2, Mumbai-Suburban, Family Court, Mumbai at Bandra to the Hon'ble Principal Judge, Family Court No. 9 at Pune, in the interest of justice.

[GAURI GODSE, J.]