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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 445 OF 2025

Kiran Ganesh Pagare … Applicant
vs.
Ganesh Nana Pagare … Respondent

Ms. Sandhya Mailagir h/f. Ms. Suvarna Yadav for the Applicant.

CORAM : GAURI GODSE, J.
DATED : 16th OCTOBER 2026

ORDER:

1. This application is filed under Section 24 of the Civil Procedure Code, 1908 ('CPC') by the wife seeking transfer of the marriage petition filed by the respondent from the Civil Court at Thane to the Family Court, Pune. As per the office report the respondent is served in terms of order dated 16th September 2026. Though served, none appears for the respondent.

2. Learned counsel for the applicant submits that the applicant is residing at Pune. Learned counsel for the applicant submits that considering the medical condition of the applicant she is unable to travel from Pune to Thane. The applicant has undergone knee

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surgery and is required to undergo regular check up and physiotherapy to the hospital at Pune. The applicant has no independent source of income. Hence, it would be inconvenient to the applicant and would cause hardship, if she is required to travel from Pune to Civil Court at Thane. Learned counsel for the applicant submits that the respondent is in a better financial condition and would not face any difficulty if he is required to attend the Court at Pune. The medical papers are annexed to the application to support the applicant's ground of inconvenience. She therefore submits that considering the distance between her place of residence at Pune and the Civil Court at Thane, she would not be able to travel in view of the financial constraint and medical condition. The respondent has neither filed any reply nor has appeared in the matter even though served.

3. I have perused the application and the supporting documents. The submissions made on behalf of the applicants are supported by particular pleadings in the application and the medical papers annexed to the application. Considering the medical condition, financial constraint and the distance between the applicant's place of residence and the court at Thane, the applicant would suffer inconvenience and hardship if she is required to travel. Hence, the

applicant has made out a case for transfer. Hence, the application is allowed in terms of prayer clause(b) which reads as under:

> *"b. This Hon'ble Court may be pleased to transfer the H.M.P. No. 154 of 2025 from the Court of Civil Judge, Senior Division, Thane to Ld. Family Court Pune."*

(GAURI GODSE, J.)