



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

13 MCA/289/2025

MRS. SNEHA PUNDALIK VARVANTE
VS
MR. PUNDALIK MALHARI VARVANTE

Adv. Chaitanya P. Dixit for applicant.
None for respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 18 FEBRUARY 2026.

P.C. :

- 1) Office remark shows that the respondent has been duly served.
- 2) Mr. Dixit, learned Counsel for the applicant submits that the respondent has been served and an affidavit of service to that effect has been filed in the Registry of this Court.
- 3) None appears for the respondent, when the matter is called out for hearing. Hence I proceed further with the hearing of the Misc. Civil Application.
- 4) It is the Applicant's case that the Applicant is staying at Nanded along with her six years old son. The Respondent – husband has filed divorce proceeding before the Family Court, Pune and she is seeking transfer of the said proceeding to the Family Court, Nanded as the

distance between Nanded and Pune is around 500 Km, and it will be difficult for her to attend the Court proceeding by traveling 500 Km which will take around ten hours and return back on the same day by traveling around ten hours when she has to take care of her six years old son also.

5) The Hon'ble Supreme Court in case of *N.C.V Aishwarya vs. A.S.Saravana Karthik Sha*, reported in *2022 SCC OnLine SC 1199* has held that the convenience of the wife has to be seen for the transfer proceedings. Paragraph no.9 of the said judgment reads as under :-

9. The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or other proceeding. In matrimonial matters, wherever Courts are called upon to consider the plea of transfer, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Given the prevailing socio-economic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer.

(Emphasis supplied)

6) Considering the law laid down by the Hon'ble Supreme Court in case of *N.C.V Aishwarya* (supra) and the facts of the present case, I am convinced that this Misc. Civil Application needs to be allowed.

7) Misc. Civil Application stands allowed in terms of prayer clause (b).

- 8)** The proceedings of Petition No.A-1989/2022 pending before the Family Court at Pune be transferred to the Family Court at Nanded, within a period of four weeks from today.
- 9)** Learned counsel for the applicant is hereby directed to convey the order passed today to the Family Court at Pune, and file affidavit to that effect within a period of two weeks from today.
- 10)** Similarly, Registrar (Judicial-I) is hereby directed to communicate the order passed today to the Registrar of the concerned Court by E-mail.
- 11)** Misc. Civil Application stands disposed of accordingly.

(Rajesh S. Patil, J.)