

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO. 404/2025****RANI KISHOR KHOSE****..... APPLICANT****VERSUS****KISHOR VITTHAL KHOSE****..... RESPONDENT**

Adv. Siddhant H. Deshpande i/b. Adv. Abhishek R. Avachat for the Applicant.

Mr.Kishor Vitthal Khose, Respondent present in person.

CORAM : RAJESH S. PATIL, J.**DATE : 28 JANUARY, 2026****P.C. :-**

1) By the present transfer proceedings, the applicant, wife of the respondent is seeking transfer of the restitution petition filed by the respondent-husband before the Civil Judge Senior Division, Ahmednagar to the Civil Judge Senior Division, Pune.

2) The respondent has appeared in person and has made his submissions before me. I have also heard learned advocate appearing for the applicant.

3) The applicant has filed divorce proceedings before the Civil Judge Senior Division, Pune. The applicant is staying at Shirur

which is around 67 kms from Pune. The respondent-husband has filed restitution petition before the Civil Judge Senior Division, Ahmednagar as the respondent is staying at Ahmednagar. The distance between Shirur and Ahmednagar is around 53 kms. Therefore as of date, the applicant-wife has to travel 53 kms to reach to the Court of Civil Judge Senior Division, Ahmednagar. If the proceedings are transferred from Ahmednagar to Pune, as per the prayer sought in the Miscellaneous Civil Application, she would have to travel 67 kms to attend the proceedings at Pune. Considering the fact that the applicant-wife is not staying at Pune and she is seeking transfer of husband's proceedings to Pune, when she is staying at Shirur, no case is made out to allow the present Miscellaneous Civil Application.

4) The present **Miscellaneous Civil Application** stands **rejected**.

(RAJESH S. PATIL, J.)