



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 451/2025

**REKHA KALOJI PATIL
VS
RANJEET ANNASO PATIL**

Adv. Narayana B. Suvarna i/b. Adv. Susan Abraham (Legal Aid) for
applicant.

None for the respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 21 JANUARY 2026.

P.C. :

1) By the present transfer proceedings, the applicant-wife of the respondent is seeking transfer of the husband's divorce proceeding from the Family Court, Pune to the Family Court, Belapur.

2) Office remark shows that the respondent has been duly served.

3) None appears for the respondent, when the matter is called out for hearing. It seems that the respondent is not interested in appearing in the present proceeding.

4) It is the case of the applicant that she is staying with her 3 years old son, at Ulave, Navi Mumbai, at her mother's place and she is homemaker.

5) The respondent – husband is residing at Pune. The distance between Pune and Belapur is 140 kms. and it will be difficult for the applicant to travel to Pune to attend the Court proceedings as there is no male member in the family to accompany her in attending the Court proceedings.

6) 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)

7) Considering the facts of the present proceedings, and

considering the law laid down by the Hon'ble Supreme Court in case of *N.C.V. Aishwarya* (supra), I am convinced that the present Miscellaneous Civil Application requires to be allowed.

8) The present Miscellaneous Civil Application stands **allowed** in terms of prayer clause (b).

9) The proceedings of Petition No.A/424/2024 pending before the 2nd Family Court at Shivaji Nagar, Pune, be transferred to the Family Court at Belapur, within a period of four weeks from today.

10) Learned counsel for the applicant is hereby directed to convey the order passed today to the concerned Court and file affidavit to that effect within a period of two weeks from today.

11) Similarly, Registrar (Judicial-I) is hereby directed to communicate the order passed today to the Registrar of the concerned Court by E-mail.

12) Misc. Civil Application stands disposed of accordingly.

13) Parties to act on an authenticated copy of this order.

(Rajesh S. Patil, J.)