

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 347 OF 2025

Nikita Sunil Dhawale.

...Applicant.

Versus

Sunil Yadavrao Dhawale.

...Respondent.

Ms. Vaishnovi Shelke and Mr. Nikhil Dharmadhikari for the Applicant.
Mr. Nitin S. Kadarale for the Respondent.

Coram : Smt. Vibha Kankanwadi, J.

Date : June 12, 2026.

ORDER:

1. Heard both sides.
2. Learned advocate for the applicant submits that the transfer is sought on 3 grounds. Firstly, the distance between Kolhapur and Nanded is more than 500 kilometers. Secondly, the applicant has no source of income to bear the travel expenses. Thirdly, the ailments of her parents. As regards the father of applicant, it is argued that he is bed-ridden. However, when asked about the medical certificates, learned advocate submits that she will have to inquire with the applicant. As regards the mother, some documents have been produced and it appears that the mother had suffered fracture around 5th August 2025.
3. Learned advocate for the respondent tenders hard copies of the affidavit-in-reply and as also certain documents including the medical

certificates of the parents of respondent.

4. In order to give a fair opportunity, the applicant is directed to produce documents on which she wants to rely, within a period of one week from today. Copy of the same be given to the other side in advance. It is made clear that merely because the applicant is the wife/lady and only on the point of distance, the transfer of proceedings cannot be allowed.

5. Taking into consideration the medical ground, it appears that both of sides have equal ground for not to transfer but at the same time it can be seen that certain proceedings are pending in Kolhapur as against the present respondent also, and therefore, only one chance is given to the Applicant to produce the documents. Otherwise, there may not be any merit in the application.

6. Place the matter for further consideration on 3rd July 2026.

7. Ad-interim / interim relief granted earlier, if any, to continue till then.

[Smt. Vibha Kankanwadi, J.]