

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR.**

**Misc. Civil Application (Tr) No. 67/2015**  
**(Smt. Komal Kalpesh Chavhan .vs. Kalpesh Gopal Chavhan )**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders or directions  
and Registrar's orders

Court's or Judge's orders.

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Mr. D.C. Chahande, Advocate for Applicant.  
Mr. B.M. Kharkate, Advocate for Respondent.

**CORAM : A.V. Nirgude, J.**  
**DATED : April 21, 2015.**

Heard.

2. This application arises from a marriage litigation. The applicant is wife. She filed her petition for divorce in the Court of the Civil Judge, Senior Division, Gondia. According to her, the said Court would have jurisdiction to try such petition because the marriage was solemnized within the local limits of Gondia Court. On the other hand, the respondent/husband filed his petition for restitution of conjugal rights in Jalgaon Court on the ground that the parties lastly resided at Jalgaon.

3. The applicant/wife, however, stays at Kamthi, a place which is outside the city limit of Nagpur Municipal Corporation. In my view the parties should litigate in one Court and such Court should be convenient to applicant/wife. Had the applicant filed her petition for divorce, she could have chosen Court of Civil Judge, Senior Division at Nagpur. Both these cases, therefore, should get transferred to Civil Judge, Senior Division, Nagpur.

4. H.M.P. No.287/2014 pending on the file of 4<sup>th</sup>

Joint Civil Judge, Senior Division, Jalgaon and H.M.P. No.95/2014 pending on the file of the Civil Judge, Senior Division, Gondia are transferred to the Court of the Civil Judge, Senior Division, Nagpur. Both these petitions should be clubbed together and should be tried in the same Court.

5. Misc. Civil Application No.67 of 2015 is disposed of in the aforesaid terms.

**JUDGE**

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