

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

Misc. Civil Application No. 1 of 2015

[Ekta w/o Suhas Khobragade Vs. Suhas s/o Suresh Khobragade]

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

Court's or Judge's order

Shri V. D. Muley, Advocate for the applicant
Shri S. R. Borkar, Advocate for the respondent

CORAM : Prasanna B. Varale, J.

DATE : 22-1-2016.

Heard Shri Muley, learned counsel for the applicant and Shri Borkar, learned counsel for the non-applicant.

The present application is for transferring the matrimonial proceedings, namely, H.M.P. No. 103/2014 pending before the Civil Judge Senior Division, Gondia to the Civil Judge Senior Division, Bhandara. The sum and substance of the submissions of the learned counsel for the applicant is that the applicant-wife has caused inconvenience. It was submitted that as the applicant-wife is residing at Bhandara along with her parents and out of the matrimonial wedlock, the issue was born and the same is an infant child, thus, it caused inconvenience to the applicant – wife to travel along with her child as there is no other member in the family to assist the applicant.

The learned counsel for the non-applicant fairly submits that considering the inconvenience caused to the applicant, the non-applicant is having

.....2/-

no objection for transferring the proceedings. He further submits that the directions be given to the learned Civil Judge Senior Division, Bhandara to decide the proceedings within a time frame.

In view of the no objection given by the non-applicant and considering the grounds raised in the application, the application is allowed in terms of prayer clause (I). H.M.P. No. 103/2014 pending before the Civil Judge Senior Division, Gondia is transferred to Civil Judge Senior Division, Bhandara for trial.

Though the learned counsel for the non-applicant prays for direction of a time bound disposal of the proceedings, in my opinion fixing of such time frame would not be possible but the interest of the parties can be served by directing learned Civil Judge Senior Division, Bhandara to whom the proceedings is transferred to decide the proceedings as expeditiously as possible considering the age of the parties.

JUDGE

wasnik

...../-