

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

MISC. CIVIL APPLICATION NO.349 OF 2015

(Sau. Bindu w/o Rajbahadur Chowriya ..vs.. Rajbahadur @ Raju Surajnarayansingh Chowriya)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 07-10-2016

Heard Shri A.S. Ambatkar, Advocate for the applicant/wife.

None appeared for the non-applicant/husband on 02-04-2016, 16-04-2016 and 29-04-2016. Today also none appears for the non-applicant/husband.

2. The applicant/wife seeks transfer of the Petition No.A-18/2015 filed by the non-applicant in the Court at Nagpur, to the Court at Chandrapur.

3. The non-applicant/husband has filed petition under Section 13 (1)(i)(i-a) of the Hindu Marriage Act, 1955 before the Family Court, Nagpur with the averments in paragraph No.14 of the petition that marriage between the applicant and non-applicant was solemnized at Nagpur and the non-applicant (petitioner before the Family Court) is residing at Nagpur and therefore, the Court at Nagpur has jurisdiction to entertain and try the petition.

4. The applicant/wife has stated in the present application that the present applicant as well as the present non-applicant are residents of Chandrapur. To support the contention, the applicant has filed copies of following documents :

- i) copy of Visiting Card showing address of non-applicant of Chandrapur.
- ii) copy of Registration Certificate issued by the Regional Transport Officer, Chandrapur which shows the address of non-applicant at Chandrapur.
- iii) Copy of Adhar Card of the non-applicant which shows the address at Chandrapur.

5. The non-applicant has opted to keep out of these proceedings and not to reply the averments made by the applicant on oath.

6. Accepting the submissions made on behalf of the applicant which are not controverted, the prayer made on behalf of the applicant is granted. The proceeding of Petition No.A-18/2015 filed by the non-applicant and pending before the Family Court, Nagpur are transferred to the Court of Civil Judge (Senior Division), Chandrapur.

In the facts of the case, the non-applicant is directed to pay costs of Rs.10,000/- to the applicant and

receipt of it should be placed on the record of the trial Court within 2 months.

JUDGE

adgokarq

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 10-10-2016.

P.A. to Hon'ble Judge.