

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

MISC. CIVIL APPLICATION (TR) NO.581 OF 2016
(SMT. KAVITA @ SAROJ UMESHPRASAD SHIRBHADRE...VS.. UMESHPRASAD
GANPATRAO SHIRBHADRE)

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 : OCTOBER 19, 2016.

None appeared for the non-applicant/ husband in the morning session. The matter was kept back. In the afternoon session, when the matter is called out again none appeared for the non-applicant.

Heard Shri J.D. Bastian, advocate holding for Shri M.B.Naidu, advocate for the applicant/ wife.

The applicant/wife seeks transfer of the proceedings from the Court at Gondia to Family Court, Nagpur. One of the grounds for seeking transfer is that when the applicant/ wife went to Gondia to attend the proceedings, the non-applicant/ husband threatened her. This ground cannot be accepted as the applicant/ wife has not placed any material on record to substantiate the contention.

Other ground for seeking transfer is that the applicant is having 12-year old son, 9-year old daughter and 7- year old son who are going to school and the applicant is required to attend them regularly. Considering this ground,

the prayer made by the applicant/ wife in this application is required to be granted.

Hence, the following order :

The proceedings of HMP No. 33 of 2016 pending before Civil Judge Senior Division, Gondia are transferred to the Court of Principal Judge, Family Court, Nagpur.

The Miscellaneous Civil Application is **allowed** accordingly. In the circumstances, the parties to bear their own costs.

JUDGE

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