

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

MISC. CIVIL APPLICATION (TR) NO.762 OF 2017

(MRS. PRITI RAGHUVIR CHAKRAWAR...VS.. RAGHUVIR GANESHRAO CHAKRAWAR)

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

Court's or Judge's orders

Shri Shriram Deoras, Advocate for applicant.
Shri P.R.Agrawal, Advocate for Respondent.

CORAM : Z.A.HAQ, J.

DATED : MARCH 23, 2018.

Heard.

2. The applicant/wife seeks transfer of the proceedings of Hindu Marriage Petition filed by the non-applicant/husband and pending before the Family Court, Nanded to the Court of Civil Judge, Senior Division, Yavatmal. The transfer of proceedings is sought on the ground that the applicant is required to travel the distance of about 160 kms. to attend the proceedings before Family Court, Nanded which is cumbersome and difficult for her as the non-applicant is not paying interim maintenance in spite of the order passed in the proceedings filed by her under Section 125 of the Code of Criminal Procedure and pending in the Court at Darwaha, District : Yavatmal.

3. The learned advocate for the non-applicant has pointed out from the reply of the non-applicant filed before this Court that the proceedings before Family Court, Nanded are at the stage of recording of the evidence and recording of the examination-in-chief of the non-applicant is over. It is

further pointed out that the applicant attended the proceedings through her advocate, filed application under Section 24 of the Hindu Marriage Act for grant of interim maintenance and before that application could be decided, this application is filed. It is further submitted that the Family Court, Nanded has passed order on 12th June, 2017 directing the non-applicant to pay Rs.One Thousand to the applicant towards expenses for attending the proceedings at Nanded and to deposit Rs.Ten Thousand provisionally towards litigation expenses. It is submitted that the non-applicant has not challenged the above order and undertakes to comply with the order.

4, Considering the facts of the case, I see no reason to grant the prayer made in this application.

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

JUDGE