

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

MISC. CIVIL APPLICATION (TR) NO.399 OF 2019
(Sau.Shalaka w/o. Ratnaraj Dhandar .vs. Ratnaraj s/o. Ramesh
Dhandar)

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

Court's or Judge's Orders

Mr.P.R.Agrawal, Advocate for the applicant.
Mr.T.G.Bansod, Advocate for the respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 4.10.2019.

Heard.

The claim for transfer is resisted on
the following grounds :

- a) that the proceedings u/s. 13 of the Hindu Marriage Act,1955 are initiated prior in point of time than the proceedings which are initiated by the applicant at Amravati.
- b) there is threat to the life of non-applicant at Amravati.
- c) the applicant can claim the travel allowances.

As far as the first contention is concerned, the same will be of hardly any consequences as the date of filing is immaterial in exercise of powers under

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Section 24 of the Code of Civil Procedure.

As far as the second contention as regards threat to the life of non-applicant is concerned, there is no material produced to that effect as the applicant has denied any such event.

As regards the third contention regarding travel allowance is concerned, this Court has called upon the Non-applicant to deposit an amount of Rs.5,000/- towards travel and out of pocket expenses of applicant, to which the non-applicant is not in agreement. That being so, the contention of non-applicant stands rejected. The application is allowed in terms of prayer clause (I) thereof.

JUDGE

jaiswal