

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

MISC. CIVIL APPLICATION (MCA) NO.737 OF 2019.

(Pramod Shriprakash Agrawal, Thane Vs. Sau.Pratibha Pramod Agrawal, Nagpur)

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

Court's or Judge's orders.

Mrs.S.Kulkarni/Potey, Advocate for the applicant.
Shri Y.B.Mandpe, Advocate for the non-applicant.

CORAM : PUSHPA V. GANEDIWALA, J.
NOVEMBER 26, 2019.

Heard.

This is an application filed by the applicant/husband under Section 24 read with Section 151 of the Code of Civil Procedure, 1908 praying for transfer of D petition No.13/2018, which is pending on the file of the Family Court, Amravati to the Family Court, Nagpur.

It is stated that the marriage between the parties was solemnized on 05/12/2014 at Nagpur. They have one daughter out of the said wedlock by name Arna, aged around 3 years in the custody of mother.

Transfer is sought on the ground that at present, applicant/husband is residing at Mumbai and the non-applicant/wife, who is in government service has been transferred to Nagpur.

Initially the petition came to be filed

before the Court at Amravati, as at the relevant time, the non-applicant was posted at Amravati. It is stated that the non-applicant/wife has also filed one petition under Sections 17, 18, 19, 20, 21, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 before the Judicial Magistrate First Class, Nagpur.

It is further stated that the applicant is getting access to the child in the Court at Nagpur.

From the aforesaid facts, it is clear that the Courts at Nagpur are convenient to both the parties. Learned counsel for the non-applicant/wife could not point out as to how the Courts at Nagpur is not convenient to the non-applicant/wife.

I find substance in the petition and hence, it deserves to be allowed and the same is accordingly allowed. D petition No.13/2018 pending on the file of the Family Court, Amravati is transferred to the Family Court, Nagpur.

The Civil Application accordingly stands disposed of.

JUDGE