

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

MISC. CIVIL APPLICATION NO. 990 OF 2019

(Mrs. Juita Pawan Bhadang vs. Pawan s/o Gangadhar Bhadang)

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

Court's or Judge's orders.

Ms. Vaishnavi Khamborkar with Shri N.D.
Khamborkar, Advocate for the applicant.
Ms. C.S. Bhute, Advocate for the non-applicant.

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CORAM : PUSHPA V. GANEDIWALA, J.
NOVEMBER 28, 2019.

Heard the learned counsel for the parties.

This is an application filed by the applicant – wife under Section 24 of the Civil Procedure Code for transfer of petition filed by the non-applicant - husband bearing No. 286 of 2019 from the Court of Civil Judge, Senior Division, Wardha, to Family Court, Nagpur and for clubbing the same with the Divorce Petition filed by the applicant – wife under Section 13 of the Hindu Marriage Act No. A-898 of 2019.

The learned counsel for the applicant states that the applicant – wife has already filed a Divorce Petition before the Family Court, Nagpur, bearing HMP No. 898 of 2019. As a counter blast, the non-applicant – husband has filed a Petition for restitution of conjugal rights before the court of Civil

Judge, Senior Division, Wardha.

It is further submitted that the applicant - wife has to look after her one year old daughter and the non-applicant – husband is working at Mumbai and, therefore, there is no purpose in prosecuting the matter at Wardha.

The learned counsel for the non-applicant – husband could not point out any hardship that would be faced by the non-applicant if the matter is transferred from Wardha Court to court at Nagpur.

Furthermore, both the learned counsel have stated that an attempt for settlement between the parties is going on in Family Court, Nagpur.

For the reasons aforesaid, present MCA is allowed and disposed of. HMP No. 286 of 2019 which is pending on the file of Civil Judge, Senior Division, Wardha, is directed to be transferred to Family Court at Nagpur and be tagged with HMP No. A-898 of 2019.

JUDGE

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