

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

MISCELLANEOUS CIVIL APPLICATION NO.1266/2018

Mrs. Sushma W/o Rahul Patil

..Vs..

Mr. Rahul S/o Bhaurao Patil

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

Court's or Judge's orders

Ms. Shri P.S. Kshirsagar, Advocate for the applicant.
Shri M.V. Amle, Advocate for non-applicant.

CORAM : NITIN W. SAMBRE, J.

DATED : 27.9.2019

1] Heard.

2] The claim for transfer is opposed by the learned Counsel for the non-applicant on the ground that the subject matter of the proceedings of which transfer is sought including that of the jurisdiction is altogether different. According to him, the proceedings before the Family Court can be transferred to District Court so as to suit the convenience of the applicant.

3] The aforesaid submissions, in my opinion, needs to be ignored as the parties to the present application are contesting rival claims in respect of their matrimonial dispute.

4] The learned Counsel for the applicant is right in contending that, so as to avoid multiplicity and contradictory finding on the same issue the matter needs

to be heard and decided by one and the same Court.

5] In view of the above, application is **allowed** in terms of prayer clause (i). No costs.

JUDGE

Tambaskar.