

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

MISC. CIVIL APPLICATION (MCA) NO. 50 OF 2019.

(Sau. Puja w/o Piraji Wadve, Akola Vs. Shri Piraji s/o Gopalrao Wadve, Hingoli)

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

Court's or Judge's orders.

Shri S.S. Sohoni, Advocate for the applicant.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 16, 2020.

Heard.

This is an application filed by the applicant/wife under Section 24 of the Code of Civil Procedure, 1908 for transfer of H.M.P. No. 142/2018, which is pending on the file of the 2nd Joint Civil Judge, Senior Division, Hingoli to the Family Court, Akola.

Transfer is sought on the ground of hardship which is being faced by the applicant.

It is stated that the marriage between the parties was solemnized on 21/02/2016 at Balapur, District – Akola. Due to some matrimonial dispute between the parties, since 24/11/2018, the applicant is residing with her parents.

The non-applicant/husband filed a petition for divorce under Section 13(1) of the Hindu Marriage Act, 1955 before the Civil Judge, Senior

Division, Hingoli.

It is stated that the applicant is finding it difficult to travel to Hingoli as she has a child, aged around two years. The distance between the place of her residence and Hingoli is stated to be around 142 kilometers. The learned counsel for the non-applicant/husband could not point out any hardship that would be caused to him if the application is allowed. Also, in such cases, convenience of wife is to be seen.

Considering the aforesaid reasons, this Court is inclined to allow the application and it is accordingly allowed. H.M.P. No. 142/2018, which is pending on the file of the 2nd Joint Civil Judge, Senior Division, Hingoli is withdrawn and transferred to the Family Court, Akola.

The Civil Application accordingly stands disposed of.

JUDGE