

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

MISC. CIVIL APPLICATION (MCA) NO. 954 OF 2018

(Sau. Priya w/o Prashant Wagh, Yavatmal Vs. Dr. Prashant s/o Pralhadrao Wagh, Washim)

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

Court's or Judge's orders.

Shri V.R. Thote, 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. 185/2013, which is pending on the file of the Civil Judge, Senior Division, Washim to the Court of the Civil Judge, Senior Division, Pusad, District – Yavatmal.

None for the respondent, though served.

It is stated that the applicant/wife has filed one maintenance petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, before the Judicial Magistrate First Class, Pusad, District – Yavatmal.

It is further stated that the applicant is finding it difficult to travel to Washim to attend the proceedings filed by the respondent, as the distance

between the place where she is residing and Washim is around 65 kilometers. That the applicant is residing with her mother and brother and that her father is no more.

From perusal of record, it appears that the respondent is avoiding to attend the present proceedings, which indicates that he is not interested in opposing the application. Also, in such cases, convenience of wife is to be seen.

Accordingly, this Court is inclined to allow the application and it is accordingly allowed. H.M.P. No. 185/2013, which is pending on the file of the Civil Judge, Senior Division, Washim is withdrawn and transferred to the Court of the Civil Judge, Senior Division, Pusad, District – Yavatmal.

The interim relief granted by this Court vide order dated 12/09/2018, stands vacated. The proceedings are expedited before the Trial Court.

The Civil Application accordingly stands disposed of.

JUDGE