

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

MISC. CIVIL APPLICATION NO. 1049 OF 2019

(Dr. Priti w/o Sandeep Sarkunde vs. Mr. Sandip s/o Sambhaji Sarkunde)

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

Court's or Judge's orders.

Shri S.G. Deshpande, Advocate for the applicant.
Shri G.L. Agrawal, Advocate for the non-applicant.

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CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 17, 2020.

Heard Shri Deshpande, learned counsel
for the applicant and Shri Agrawal, learned counsel
for the non-applicant.

2. This is an application under Section 24 of the Code of Civil Procedure, for transfer of P.B. No. 10 of 2019 and 12 of 2019 from Family Court No. 4, Pune to Family Court, Akola, on the ground that the applicant – wife is a Medical Officer in Government Medical College, Akola. She has a minor daughter, aged six years so it is difficult for her to travel to Pune for attending the present proceedings one under Domestic Violence Act and another under Section 498-A of the Indian Penal Code.

3. The respondent – husband has strongly opposed the application mainly on the ground that she is an educated lady and she can travel.

4. Considering the grounds mentioned in the application for transfer of the proceedings, the Court has to see the balance in favour of the applicant – wife. Therefore, the application needs to be allowed in terms of prayer clauses (ii) and (iii). The proceedings in PB. No. 10 of 2019 and 12 of 2019 pending on the file of Family Court No. 4, Pune be transferred to Family Court, Akola.

5. Application is allowed accordingly. Interim relief, if any, stands vacated.

JUDGE

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