

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

MISC. CIVIL APPLICATION (MCA) NO. 1140 OF 2019

(Sau. Sangeeta w/o Manoj Wankhede, Bhandara (Maiden name – Ku. Sangeeta
Ramkrushna Awsare) Vs. Manoj s/o Ashok Wankhede, Nagpur)

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

Court's or Judge's orders.

Shri H.S. Chauhan, Advocate for the applicant.
Shri M.P. Kariya, Advocate for the respondent.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 09, 2020.

The reply, filed by the learned counsel for the respondent, is taken on record.

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. 299/2019, which is pending on the file of the Civil Judge, Senior Division, Nagpur to the Court of Civil Judge, Senior Division, Bhandara.

Transfer is sought on the ground that distance between Nagpur and Bhandara is around 50-60 Kilometers. That the applicant has two small children, aged around 3-4 years, and her old aged parents are not able to look after them.

Learned counsel for the respondent, opposing the application, submits that the father of the applicant is in Police Department, and he has an apprehension that the respondent/husband may not

be able to attend the Court at Bhandara because of the threats, which may be issued to him by the father of the applicant.

This Court do not find any merit in the aforesaid submission made by the learned counsel for the respondent.

At the outset, in transfer petitions, inconvenience of wife is to be seen, and if the applicant is required to travel to Nagpur by leaving her two children in home for the whole day to attend the Court proceedings, there would be a great inconvenience to her children.

For the reasons aforestated, I am inclined to allow the application and the same is accordingly allowed. H.M.P. No. 299/2019, which is pending on the file of the Civil Judge, Senior Division, Nagpur is withdrawn and transferred to the Court of Civil Judge, Senior Division, Bhandara.

The Civil Application accordingly stands disposed of. No costs.

JUDGE