

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

**MISC.CIVIL APPLICATION (MCA) NO.215 OF 2021**

(Komal w/o Mangesh Raut, Nagpur Vs. Mangesh s/o Gaurishankar Raut, Bhandara)

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

Court's or Judge's orders.

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Shri R.R. Vyas, Advocate for the applicant.  
Shri S.D. Deoras, Advocate for the respondent.

**CORAM : PUSHPA V. GANEDIWALA, J.**  
**JULY 26, 2021.**

Heard.

2] This is an application filed by the applicant/ wife under Section 24 of the Code of Civil Procedure, 1908 for transfer of Petition No. A-8/2021 which is pending on the file of the Family Court, Bhandara to the Family Court, Nagpur.

3] It is submitted that the respondent/ husband filed a divorce petition before the Court at Bhandara under Section 13(1)(a) of the Hindu Marriage Act.

4] Transfer is sought on the ground of hardship which is being faced by the applicant/ wife in attending the divorce proceedings.

5] At the outset, it is well settled by a catena of judgments of the Hon'ble Apex Court in the cases of **Mona Aresh Goel Vs. Aresh Satya Goel**, reported in **AIR 2000 SC 3512** so also in the case of **Lalita A. Ranga Vs. Ajay Champalal Ranga**, reported in **AIR**

**2000 SC 3406** that in transfer petitions, the hardship which the wife is facing, is to be considered.

6] In the instant case, it is not disputed that both the children of the applicant/ wife are residing with her. The applicant at present is staying at the mercy of her parents. The learned counsel for the respondent could not point out any source of income to the applicant. The submission that the respondent would bear the travelling expenses would not overcome the entire hardship which the applicant is facing.

7] Considering the custody of two minor children with the applicant, so also considering the fact that she is residing at the mercy of her parents, I am inclined to allow the application, and the same is accordingly allowed. Petition No. A-8/2021 which is pending on the file of the Family Court, Bhandara is withdrawn and transferred to the Family Court, Nagpur.

8] The Civil Application accordingly stands disposed of. No costs.

**JUDGE**