

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

**Misc. Civil Application No.231 of 2021**

Madhavi W/o Abhijit Tembhurne  
alias Madhavi D/o Udaybhan Shamkuwar,  
Aged about 39 years,  
Occupation - Service,  
R/o B-2 / 103,  
Survey Number 5 / 1A,  
Bhumkar Nagar, Narhe,  
Pune.

... Applicant

Versus

Abhijeet Yoganand Tembhurne,  
Aged 39 years,  
Occupation - Service,  
Presently working as a Manager  
in Actis Technologies Private  
Limited,  
102, Siddhivinayak,  
Aurum Building,  
Survey No. 33/1,  
Behind Eden Garden,  
Viman Nagar, Pune,  
Maharashtra 411014.

Alternate address :

Shravasti Society,  
Patipura, Yavatmal,  
Mobile No.9158332002

...Non-Applicant

Shri Sandeep Marathe, Advocate for Applicant.  
Shri A.P. Kalmegh, Advocate for Non-Applicant.

**CORAM : V.M. DESHPANDE, J.**

**DATE : 17<sup>th</sup> NOVEMBER, 2021**

**Oral Judgment :**

1. Rule. Rule is made returnable forthwith. Heard finally by consent of the learned counsel for the parties.
2. By this application under Section 24 of the Code of Civil Procedure, the applicant, who is the wife of the non-applicant, is praying for transfer of Hindu Marriage Petition No.A-16/2021, filed by the respondent- husband for divorce, from Yavatmal to Pune.
3. The marriage between the parties took place on 15-6-2008. The non-applicant- husband has filed a reply opposing the application for transfer. Though the application is vehemently opposed by the learned counsel for the non-applicant- husband, I am of the view that the petition for divorce filed by the non-applicant- husband needs to be transferred from Yavatmal to Pune.
4. It is an admitted position that after the marriage, the parties started residing at Pune. It is also an admitted position that the applicant- wife is a Lecturer in a College, whereas the non-applicant- husband is a Manager in a reputed firm. It is also an admitted fact that the applicant and the non-applicant both are working at Pune only.

5. In view of the fact that the applicant and the non-applicant are working at Pune, it will be cumbersome for both of them to attend the proceedings at Yavatmal. Consequently, I pass the following order :

6. The Misc. Civil Application is allowed. The Hindu Marriage Petition No.A-16/2021 filed by the non-applicant- husband for divorce in the Family Court at Yavatmal is ordered to be transferred immediately to the file of learned Principal Judge, Family Court, Pune. After the receipt of the record and proceedings, it shall be open for the learned Principal Judge, Family Court, Pune, either to hear and decide the matter on merits or allot it to any other Judge of the Family Court. The parties agreed to appear before the learned Principal Judge, Family Court, Pune, on 22-12-2021. It is made clear that the Court, which shall decide the petition for divorce on merits, shall not be influenced by this order of transfer.

7. Rule is made absolute in the above terms. No costs.

JUDGE.

Lanjewar

Digitally Signed By :P D  
LANJEWAR  
Signing Date:18.11.2021  
15:30