

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

M.C.A (Tr.) NO. 591/2021

Sau. Ashwini Nilesh Suryawanshi Vs. Nilesh Niranjana Suryawanshi

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

Court's or Judge's orders.

Mr. U. J. Deshpande, Advocate for appellant.

CORAM : V.M. DESHPANDE, J.

DATED : NOVEMBER 30, 2021

Heard Mr. U.J. Deshpande, learned Counsel for applicant.

The wife is seeking transfer of Hindu Marriage Petition No.151/2020 filed by her husband - Nilesh in the Court of Civil Judge, Senior Division, Amravati. The wife is seeking the transfer of the said proceedings to the Family Court, Akola on the ground that it is cumbersome for her to travel from Akola to Amravati. She is having a small daughter.

The applicant submits that presently she is residing with her parents. If that be so, her parents can take care of her daughter when the applicant is required to travel from Akola to Amravati.

It is the submission of learned Counsel for the applicant that if the directions are given that the applicant will be required to attend the divorce proceedings only on the dates of recording of her evidence, her grievance can be satisfied.

In my view, presence of the applicant in a divorce proceeding will be required only on the date of recording of the evidence. Therefore, it is made clear that presence of applicant-wife in H.M.P. No.151/2020 in the Court of Civil Judge, Senior Division, Amravati shall not be insisted on each and every date except on the dates of recording of the evidence of the parties.

With this direction the application is disposed of.

JUDGE

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