

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

MISC. CIVIL APPLICATION NO. 76 OF 2020

Pooja w/o Manish Gupta @ Pooja Yog Sapra

Vs.

Manish s/o Vijay Gupta

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Khubchand M. Nankani, Advocate for applicant.
Mr. Nikhil A. Gaikwad, Advocate for respondent.

CORAM : MANISH PITALE J.

DATE : 04.05.2022.

By this application, the applicant (wife) is seeking transfer of divorce petition filed by the respondent (husband) from the Family Court No.4, Mumbai at Bandra to the Family Court at Nagpur.

2. Upon notice being issued the respondent entered appearance through counsel and filed reply to oppose the present application.

3. It is stated that the marriage between the parties took place on 06.04.2015 at Mumbai and it appears that they could not stay with each other beyond a couple of months and they have been living separately due to matrimonial discord.

4. The applicant has stated that she is residing with her father at Nagpur and she has no independent source of income. It is further stated that the father of the applicant is a retired person and he is also not having sufficient resources.

5. On the other hand, the respondent appears to be engaged in service at Mumbai and there is nothing to show that he is having any crunch for resources. Convenience of the wife in such matters is of paramount importance.

6. This Court has found on the basis of material placed on record that it would be inconvenient for the applicant to attend the proceedings before the Family Court in Mumbai at Bandra. Hence, ground for transfer of the proceedings has been made out by the applicant.

7. Accordingly, the application is allowed. The divorce petition bearing No.A-2363/2019 filed by the respondent before the Family Court No.4, Mumbai at Bandra is transferred to the Family Court at Nagpur.

8. The aforesaid Court at Bandra is directed to transmit the record immediately to the Family Court at Nagpur.

JUDGE

PRITY S
GABHANE

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