

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

MISC. CIVIL APPLICATION NO. 166 OF 2022

Sau. Riya Rajesh Borse __ Vs. __ Rajesh Kisanrao Borse

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

Court's or Judge's orders

Mr. S.S.Bhalerao, Advocate for applicant
Mr. P.S.Girdekar, Advocate for Non-applicant

CORAM : AVINASH G. GHAROTE, J.
DATE : 25/11/2022

1] The application seeks transfer of Petition No.A-120/2018 instituted by the non-applicant/husband in the Court of Principal Judge, Family Court, Akola to the Court of learned Civil Judge, Senior Division, Daryapur, Dist. Amravati on the ground that the proceedings under Section 125(3) of Criminal Procedure Code instituted by the applicant/wife are pending before the JMFC, Anjangaon Surji.

2] Though Shri Girdekar, learned counsel for the respondent opposes the application, however, considering what has been held in ***D. Raja Rajeswari Vs. R. Satish Kumar (2022) 2 SCC 329***, and ***Sangamitra w/o Ramakant Royalwar Vs. Ramakant s/o Gangaram Royalwar, 2009 (1) Mh.L.J. 303***, Petition No. A-120/2018 pending on the file of learned Principal Judge, Family Court, Akola is hereby transferred to the

Court of learned Civil Judge, Senior Division, Daryapur,
Dist. Amravati.

3] The parties shall appear before the Court of learned Civil Judge, Senior Division, Daryapur, Dist. Amravati on 02/12/2022 through counsel and place a copy of this order before him to apprise him of the same. The parties shall also appear before the Principal Judge, Family Court, Akola, through counsel and place a copy of this order before the learned Court in order to apprise him of the same and so also to enable him to transfer the record to the Court of learned Civil Judge, Senior Division, Daryapur, Dist. Amravati.

4] In case there is video conferencing facility available with the Court of learned Civil Judge, Senior Division, Daryapur, Dist. Amravati, any application filed by the respondent for appearing in the proceedings through video conferencing shall be taken into consideration unless the personal physical presence is desired by the court.

5] The Misc. Civil Application is allowed accordingly. No order as to costs.