

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

MISC. CIVIL APPLICATION NO. 157 OF 2022

Sau. Manisha Satish Chavan__ Vs. __ Satish Shrimant Chavan

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

Court's or Judge's orders

Mr. Dhiraj Ailani, Advocate for applicant
Mr. Sahil Dewani, Advocate for Non-applicant

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

1] The application seeks transfer of Petition No.A/601/2021 instituted by the non-applicant/husband in the Court of learned Judge, Family Court No.5, Pune to the Family Court, Akola on the ground that the proceedings under Sections 12, 18, 20, 22 & 23 of the Domestic Violence Act bearing MCA No. 2935/2020 instituted by the applicant/wife are pending in the Court at Akola, wherein the respondent is already appearing.

2] Though Shri Dewani, learned counsel for the respondent vehemently 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/601/2021 pending on the file of learned Judge, Family Court No.5, Pune is hereby transferred to the Family Court, Akola.

3] The parties shall appear before the Family Court Akola 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 Judge, Family Court No.5, Pune, 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 Family Court, Akola.

4] It is made clear that all proceedings instituted by the wife as well as the one hereby transferred shall be listed on the same date so as to avoid any inconvenience to the respondent/husband.

5] In case there is video conferencing facility available with the Family Court, Akola, 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.

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