

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

**MISC. CIVIL APPLICATION NO. 44 OF 2022**

Sau. Nitu Suresh Durgam\_\_ Vs. \_\_ Suresh Parvatalu Durgam

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

Court's or Judge's orders

Mr. M.PKshirsagar, Advocate for applicant  
Mr. I. Charlewar, Advocate for Non-applicant

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

1] Heard Mr. Kshirsagar, learned counsel for the applicant and Mr. Charlewar, learned counsel for the non-applicant.

2] The application seeks transfer of Hindu Marriage Petition No.145/2021 instituted by the husband in the Court of Civil Judge, Senior Division, Chandrapur, to the Civil Judge, Senior Division, Nagpur, on the ground that Hindu Marriage Petition No. 151/2021 instituted by the applicant/wife is pending before the learned Civil Judge, Senior Division, Nagpur, wherein the respondent is already appearing.

3] Though Shri Charlewar, 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***, Hindu Marriage Petition No. 145/2021 pending on the file of

Civil Judge, Senior Division, Chandrapur, is hereby transferred to the Civil Judge, Senior Division, Nagpur.

4] The parties shall appear before the Civil Judge, Senior Division, Nagpur 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 Civil Judge, Senior Division, Chandrapur, 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 Civil Judge, Senior Division, Nagpur.

5] 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.

6] In case there is video conferencing facility available with the Civil Judge, Senior Division, Nagpur. 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.

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

**JUDGE**

*Rvjalit*

Digitally sign byRAJESH  
VASANTRAO JALIT  
Location:  
Signing Date:28.11.2022 17:21