

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

MISC. CIVIL APPLICATION NO. 98 OF 2022

Smt. Durga W/o. Bhupendrapuri Baikunthi

...VERSUS...

Bhupendrapuri S/o. Sewakpuri Baikunthi

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

Court's or Judge's order

Shri G.H. Barange, Advocate for applicant.
Shri V.R. Borkar, Advocate for non-applicant.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 06th JULY, 2022.

Heard both the parties.

2. The present application is filed for transfer of Hindu Marriage Petition (HMP) No. 37 of 2022 from the file of learned Civil Judge, Senior Division, Gondia to the file of learned Civil Judge, Senior Division, Gadchiroli.

3. The applicant is wife and the non-applicant is husband. The non-applicant has filed HMP No. 37 of 2022 before learned Civil Judge, Senior Division, Gondia. The marriage was solemnized on 18/01/2021 at Desaiganj Wadsa, District Gadchiroli. The applicant, after some matrimonial dispute and alleged harassment made by the non-applicant, was constrained to leave her matrimonial house and returned back to her parents house.

4. Due to her parents ill-health, nobody else is there to escort her to Gondia. As there is no relatives at Gondia, she would

be compelled to stay at the Hotel or lodging boarding which would be quite risky and dangerous for her being lady.

5. In view of the hardship and inconvenience mentioned in the application and in spite of the objection raised by the counsel for the non-applicant, I am of considered opinion that the matter bearing HMP No. 37 of 2022 is required to be withdrawn from the file of learned Civil Judge, Senior Division, Gondia and be transferred to the file of learned Civil Judge, Senior Division, Gadchiroli. As the marriage was performed at Desaiganj Wadsa, Tahsil Wadsa, District Gadchiroli, the learned Civil Judge, Senior Division, Gadchiroli has jurisdiction to adjudicate and decide the proceedings filed by the non-applicant before learned Civil Judge, Senior Division, Gondia. Accordingly, I proceed to pass the following order:-

- I) Application is allowed.
- II) The learned Principal District Judge, Gondia is hereby directed to make arrangement to transfer the HMP No. 37/2022 from the file of learned Civil Judge, Senior Division, Gondia to the file of learned Civil Judge, Senior Division, Gadchiroli.
- iii) The application is disposed of accordingly.

(Smt. M.S. Jawalkar, J.)