

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

MISC. CIVIL APPLICATION NO. 146 OF 2022

Sakshi Vishal Sarap vrs. Vishal Ramrao Sarap

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

Court's or Judge's orders

Mr. Sagar Katkar, Advocate for the applicant
Mr. Sachin Zoting, Advocate for non-applicant.

CORAM : AVINASH G. GHAROTE, J.
DATE : 02/12/2022

1] The application seeks transfer of Hindu Marriage Petition No. 114/2021 filed by the husband before the learned Civil Judge, Senior Division, Jalgaon to learned Civil Judge, Senior Division, Akot, where the applicant/wife is residing, on the ground that the distance is more than 200 kms and it is difficult for the applicant to travel to and fro.

2] Though the transfer is objected by Mr.Zoting, learned counsel for the respondent, contending that the distance is not much and the travel can be undertaken, however, considering what has been held by the Hon'ble Apex Court in *D. Raja Rajeswari Vs. R. Sathish Kumar (2022) 2 SCC 329* and *Sangamitra w/o Ramakant Royalwar Vs. Ramakant s/o Gangaram Royalwar, 2009 (1) Mh.L.J. 303*, H.M.P. No. 114/2021 is transferred to the Civil Judge, Senior Division, Akot.

3] The parties shall appear before the learned Civil Judge, Senior Division, Akot, on 12/12/2022 through counsel and place a copy of this order before him to apprise him of the same. The parties shall also appear before the learned Civil Judge, Senior Division, Jalgaon, 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 & proceedings to the learned Civil Judge, Senior Division, Akot.

4] In case there is video conferencing facility available with the learned Civil Judge, Senior Division, Akot, 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.

JUDGE

Rvjalit