

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

**CRIMINAL APPLICATION (APPLN) NO.34 OF 2022**

Sau. Dhanashree @ Mamta W/o Vivek Mahajan and another

**Versus**

Vivek S/o Gunwant Mahajan

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Shri U.R. Phasate, Advocate for the applicants.

**CORAM : ANIL S. KILOR, J.**

**DATED : 29/04/2022**

1. This is an application filed under Section 407 of the Code of Criminal Procedure for transfer of the Miscellaneous Criminal Application No.08 of 2014 and Miscellaneous Criminal Application No.1 of 2019 (Dhanashri Vivek Mahajan Vs. Vivek Gunvant Mahajan) pending on the file of Court of Civil Judge Junior Division and J.M.F.C., Amravati, to Nagpur.

2. The above referred both the Miscellaneous Criminal Applications are filed for execution of order granting maintenance to the applicants.

3. The transfer is sought on the ground of convenience of both the parties. It is stated that earlier the applicants were residing at Amravati. However, now they have shifted to Nagpur. It is further pointed out that the

non-applicant is also resident of Nagpur. Therefore, as both the parties are residing at Nagpur, it would be convenient if both the said Miscellaneous criminal proceedings are transferred to Nagpur.

4. Though the respondent was served, nobody is appearing on behalf of the respondent.

5. To consider the submission of the learned counsel for the applicant, I have perused the record.

6. The Miscellaneous Criminal Application No.08 of 2014 and Miscellaneous Criminal Application No.1 of 2019 both are filed for execution of the order granting maintenance to the applicants. The non-applicant is resident of Nagpur and even the notices in this case were served upon the address given in the cause title, which shows that he is resident of Nagpur. In that view of the matter, even it would be convenient for getting the order of maintenance, executed if such proceedings are transferred at Nagpur. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the Miscellaneous Criminal Application No.08 of 2014 and Miscellaneous Criminal Application No.1 of

2019, pending on the file of Court of Civil Judge Junior Division and J.M.F.C., Amravati shall be transferred to the Civil Judge Junior Division and J.M.F.C., Nagpur.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]