

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

MISC. CIVIL APPLICATION NO.198/2022

Sau. Sonali W/o Mangesh Malkapure
Vs.
Mangesh S/o Dattatray Malkapure

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

Court's or Judge's orders

Shri PS. Kadam, Advocate for applicant

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

DATE : 30/06/2022

Present application is filed by applicant-wife for transfer of H.M.P. No. 100/2021 pending on the file of Civil Judge, Senior Division, Yavatmal to Civil Judge, Senior Division, Wardha.

2. It is the case of the applicant that applicant is legally wedded wife of the respondent. The marriage between the applicant and the non-applicant solemnized on 04/05/2021 at Godegaon, Post Alipur in Wardha District. Out of the said wedlock, applicant is pregnant and is carrying three months of pregnancy. The non-applicant filed marriage petition at Yavatmal. He is residing at Kalamb.

3. In view of the condition, it would be difficult for applicant to attend the proceeding at Yavatmal. The distance between her village to Wardha is 15 Kms and as she is taking

treatment at Wardha, she can attend Wardha Court, if proceeding would be transferred to Wardha. There is no escort with her to attend the proceeding at Yavatmal.

4. Considering the fact that the statement made by the applicant has gone uncontroverted as no appearance by non-applicant in spite of service.

5. For the reasons stated in the application, the application is allowed. The Judge Family Court is requested to withdraw the proceeding from Civil Judge, Senior Division, Yavatmal and transfer the same to the file of Civil Judge, Senior Division, Wardha.

6. The application is disposed of accordingly.

(SMT. M.S. JAWALKAR, J.)

Jayashree..