

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

MISC. CIVIL APPLICATION (TR) NO. 250 OF 2020

Dhanashree w/o Parag Patankar @ Dhanshree Bhaskar Indurkar

vs.

Parag s/o Vilas Patankar

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

Court's or Judge's Orders.

Mr. Bhushan Dafle, Advocate for applicant.
Mr. H. S. Chitaley and Mr. Suyog Deshpande, Advocate
for respondent.

CORAM : MANISH PITALE J.

DATE : 22/03/2022

By this application, applicants are seeking transfer of divorce petition filed by the respondent (husband) before the Family Court at Nasik to Family Court at Nagpur.

2. Learned counsel appearing for the applicant invited attention of this Court to the contents of the application where it is stated that the marriage took place at Nagpur, but, the applicant suffered harassment at the hands of the respondent and his family at Nasik. Due to the aforesaid circumstances, she had to return to Nagpur to reside with her parents.

3. It is also pointed out that proceedings claiming maintenance from the respondent are pending before the Competent Court at Nagpur and further that the proceeding initiated under the provisions of the Protection of Women from Domestic Violence Act, 2005 is also pending at Nagpur.

4. The learned counsel appearing for the respondent could not dispute the fact that the respondent is contesting the aforesaid two proceedings initiated by the applicant at Nagpur. It is also an admitted position that the marriage between the parties took place at Nagpur.

5. In these circumstances, considering the fact that the applicant does not have any source of income and she would find it difficult to effectively contest the divorce petition filed by the respondent in the Family Court at Nasik, a case for transfer of the said petition to the Family Court at Nagpur is made out.

6. Hence, application is allowed. The Divorce Petition bearing No.A/682/2019 filed by the respondent before the Family Court at Nasik be transferred to Family Court at Nagpur.

7. The Family Court at Nasik is directed to immediately transfer the records to the Family Court at Nagpur.
8. Application is disposed of.

JUDGE