

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

MISC. CIVIL APPLICATION NO. 259 OF 2021

Ashwini Vivek Durge __ Vs. __ Vivek Laxmanrao Durge

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

Court's or Judge's orders

Ms. P. Lakhani, Advocate for applicant
Mr. A.G.Ramteke, Advocate for non-applicant.

CORAM : AVINASH G. GHAROTE, J.
DATE : 16/09/2022

Though the transfer is opposed by the learned counsel for non-applicant, it is however not in dispute that proceedings under Section 125 of Cr.PC and under Section 12 of the Domestic Violence Act instituted by the applicant are pending before the Court at Hinganghat.

2] Though the distance is less, since the non-applicant is already appearing in the proceedings at Hinganghat, it would be appropriate in view of what has been held in **D.Raja Rajeshwari vs. R. Satish Kumar, (2022) 2 SCC 329**, Hindu Marriage Petition No. 77/2021 filed by the Non-Applicant and pending before the 3rd Joint Civil Judge, Senior Division, Nagpur, is hereby transferred to the Court of Civil Judge, Senior Division, Hinganghat.

3] The applicant shall through counsel appear before the 3rd Joint Civil Judge, Senior Division, Nagpur, on 22.9.2022 and place a copy of the order before the

learned Court to apprise it of the same and so also to transmit the R&P to the Civil Judge, Senior Division, Hinganghat. Similarly, the applicant shall appear through her counsel before the Civil Judge, Senior Division, Hinganghat, on 26.9.2022 and place a copy of this order before the Court in order to apprise it of the same.

4] The Court at Hinganghat shall as far as possible ensure that the above matters shall be listed on the same date.

5] The Application is allowed in above terms.
No costs.

JUDGE

Rvjalit