

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

Misc. Civil Application (MCA) No.336/2020

Rupali w/o Meghshyam Pajai Vs. Meghshyam s/o Gulabrao Pajai

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

Court's or Judge's Orders

Shri A.M. Tirukh, Advocate for the Applicant.

CORAM : **SMT. ANUJA PRABHUDESSAI, J.**
DATE : **5th JANUARY, 2022.**

01] By this application, the Applicant-Wife has sought transfer of Hindu Marriage Petition No.358/2019 from the Court of 3rd Jt. Civil Judge (Senior Division), Wardha to the Family Court, Nagpur.

02] The Respondent-Husband has not contested the proceedings despite due service of notice.

03] The Applicant-Wife has stated that proceedings under Section 125 of the Code of Criminal Procedure, 1973 and petition for restitution of conjugal rights filed by her are pending before the Family Court, Nagpur. Similarly proceedings, under the Protection of Women from Domestic Violence Act, 2005, filed by the Applicant-Wife against the Respondent-Husband, is pending before the Court of Judicial Magistrate First Class, Nagpur. The Applicant has also stated that two minor children, born from the wedlock, are in her custody and that it is difficult for her to leave her children and travel to Wardha.

04] Considering the difficulties expressed by the Applicant-Wife and also considering the fact that other proceedings are pending

before the Family Court, Nagpur, it would be in the interest of justice to transfer Hindu Marriage Petition No.358/2019 from the Court of 3rd Jt. Civil Judge (Senior Division), Wardha to the Family Court, Nagpur.

05] Hence, the application is allowed. Hindu Marriage Petition No.358/2019 is ordered to be transferred from the Court of 3rd Jt. Civil Judge (Senior Division), Wardha to the Family Court, Nagpur. The records and proceedings of the Hindu Marriage Petition No.358/2019 be forwarded to the Family Court, Nagpur.

06] The application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)

Vijay