

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

**MISC. CIVIL APPLICATION NO. 264 OF 2021**

Sau. Rakhi W/o Ashish Somani ..VS.. Ashish S/o Rameshchandra Somani

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

Mr. N.R. Tekade, Advocate for applicant.  
None for the respondent.

**CORAM : AVINASH G. GHAROTE, J.**

**DATED : 30<sup>th</sup> September, 2022**

Heard Mr. N.R. Tekade, learned counsel for the applicant. Mr. R.G. Joshi, learned counsel for the non-applicant is absent.

2. The application seeks transfer of Hindu Marriage Petition No. 16 of 2021 pending on the file of Family Court, Parbhani, instituted by the husband, to the learned Family Court, Akola, where the applicant/wife is residing and the proceedings instituted by her under the 125 of the Code of Criminal Procedure, 1973 are pending, in which the non-applicant/husband is already appearing. The distance is more than 300 kms.

3. In view of what has been held in *D. Raja Rajeswari Vs. R. Satish Kumar, (2022) 2 SCC 329*, regarding the convenience of the wife and *Sangmitra Ramakant Royalwar Vs. Ramakant Gangaram Royalwar, 2009 (1) Mh.L.J. 303*, Hindu Marriage Petition No. 16 of 2021 pending on the file of learned Family Court, Parbhani, is hereby transferred to the learned Family Court, Akola.

4. The parties through their counsel shall appear before the learned Family Court, Akola, on 07.10.2022 and place a copy of this order before the learned Family Court, Akola, to apprise the Court of this order.

5. The parties through their counsel shall place a copy of this order before the learned Family Court, Parbhani, to apprise it of the present order and to enable it to transmit the record and proceedings to the learned Family Court, Akola.

6. Both the matters shall be kept on the same date by the learned Family Court, Akola, in order to avoid any inconvenience to the non-applicant/husband.

7. In case there are Video Conferencing facilities available with the Family Court, Akola, the personal presence of the non-applicant/husband shall not be insisted upon and as far as possible, his appearance through Video Conferencing will be permitted. Even the recording of the evidence of the non-applicant/husband as well as the witnesses, if deemed appropriate by the Family Court, Akola shall be done through the Video Conferencing.

8. The application is **allowed** and disposed of. No costs.

**JUDGE**