

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

MISC. CIVIL APPLICATION NO. 287 OF 2021

Sau. Jyoti W/o Sudhir Mundane ..VS.. Sudhir S/o Mahadeorao Mundane

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

Court's or Judge's orders

Mr. Swarup Bhattacharya, Advocate h/f Mr. N.S. Warulkar,
Advocate for petitioner.

CORAM : AVINASH G. GHAROTE, J.

DATED : 30th September, 2022

Heard Mr. Swarup Bhattacharya for the applicant. None appears for the respondent though served.

2. The application seeks transfer of Petition No. A-188/2020 pending on the file of Family Court, Yavatmal, instituted by the husband, to the learned Family Court, Amravati, where the applicant/wife is residing and the proceedings instituted by her under the Hindu Marriage Act, 1955 are pending, in which the non-applicant/husband is already appearing.

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, Petition No. A-188/2020 pending on the file of the learned Family Court, Yavatmal, is hereby transferred to the learned Family Court, Amravati.

4. The parties through their counsel shall appear before the learned Family Court, Amravati, on

07.10.2022 and place a copy of this order before the learned Family Court, Amravati, 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, Yavatmal, to apprise it of the present order and to enable it to transmit the record and proceedings to the learned Family Court, Amravati.

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

7. In case there are Video Conferencing facilities available with the Family Court, Amravati, 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, Amravati shall be done through the Video Conferencing.

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

9. Pending application/s, if any, shall stand disposed of accordingly.