

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

MISC. CIVIL APPLICATION NO.312 OF 2021

Sau. Madhuri Shailesh Kawade
Vs.
Shailesh s/o Shalikram Kawade

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

Court's or Judge's orders

Mrs. Swati Kulkarni/Potey, Advocate for applicant.

CORAM : AVINASH G. GHAROTE, J.
DATE : 23/09/2022

1. Though, the non-applicant was served and has filed the reply in-person, he is absent today, which was also the case on the last occasion, however the Farad Sheet does not indicate so.

2. By an order dated 7.4.2022, passed in Misc. Civil Application No.597 of 2021, the application under Section 9 of the Hindu Marriage Act, filed by the non-applicant/husband before the Civil Judge Senior Division, Gondia has already been transferred to the learned Family Court, Nagpur.

3. There are already proceedings under Section 125 of Cr. P.C. and the D.V. Act instituted by the applicant pending before the learned Court at Nagpur, in which the non-applicant is already appearing. In view of what has been held in *D. Raja Rajeshwari Vs. R. Satish Kumar 2022 (2) SCC 329*, Hindu Marriage Petition No.6/2021

pending before the Civil Judge Senior Division, Gondia is hereby transferred to the Family Court, Nagpur.

4. The parties through counsel shall appear before the Family Court, Nagpur on 3.10.2022 and place a copy of this order before the learned Court to apprise it of the same.

5. The parties through counsel shall appear before the Civil Judge Senior Division, Gondia and place a copy of this order before the learned Court to apprise it of the same, so as to enable it to transmit the record to the Family Court, Nagpur.

6. The application is accordingly allowed, in the above terms. No costs.

JUDGE

Sarkate