

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

**MISC. CIVIL APPLICATION (TRANSFER) NO.436/2021**

**Mrs. Saroj Ishwardas Khune**

**...Versus...**

**Mr. Ishwardas Khune**

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

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Ms Niharika Chandak, Advocate for applicant  
Shri D.M. Kale, Advocate for respondent  
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**CORAM : AVINASH G. GHAROTE, J.**

**DATE : 23/09/2022**

1. The application seeks transfer of Hindu Marriage Petition No.A/130/2021 instituted by the husband before the Family Court, Thane to the Civil Judge, Senior Division, Chandrapur on the ground that the proceedings initiated under the Domestic Violence Act instituted by the applicant/ wife are pending with the Judicial Magistrate First Class, Sindewahi and the appeal therefrom is pending with the District Court, Chandrapur.

2. Though Shri Kale, learned counsel for the respondent vehemently opposes the application, however, considering what has been held in *D. Raja Rajeswari Vs. R. Satish Kumar (2022) 2 SCC 329* and *Sangamitra w/o Ramakant Royalwar Vs. Ramakant s/o Gangaram Royalwar, 2009 (1) Mh.L.J. 303* Hindu Marriage Petition No.A/130/2021 pending on the file of Family Court, Thane is

hereby transferred to the Civil Judge, Senior Division, Chandrapur.

3. The parties shall appear before the Civil Judge, Senior Division, Chandrapur on 03/10/2022 through counsel and place a copy of this order before him to apprise him of the same. The parties shall also appear before the Family Court, Thane through counsel and place a copy of this order before the learned Court in order to apprise him of the same and so also to enable him to transfer the record to the Civil Judge, Senior Division, Chandrapur.

4. It is made clear that all proceedings instituted by the wife as well as the one hereby transferred shall be listed on the same date so as to avoid any inconvenience to the respondent/husband.

5. In case there is video conferencing facility available with the Civil Judge, Senior Division, Chandrapur. any application filed by the respondent for appearing in the proceedings through video conferencing shall be taken into consideration unless the personal physical presence is desired by the Court.

6. The Misc. Civil Application is allowed accordingly. No order as to costs.

**(AVINASH G. GHAROTE, J.)**