

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

MISC. CIVIL APPLICATION (TR) NO.335 OF 2022

Sau. Renuka w/o Akshay Bhivdare

Vs.

Akshay Dilip Bhivdare

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

Court's or Judge's orders

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/09/2022

1. None appears for the applicant. So also none appears for the non-applicant, though served.

2. The application seeks transfer of Marriage Petition No.51 of 2022 pending before the Civil Judge Senior Division, Warora to the Family Court, Akola, on the ground that applicant/wife resides at Akola and so also proceedings instituted by the applicant/wife for maintenance bearing E-Petition No.63 of 2022 is pending at Akola, in which non-applicant/husband is already appearing. In view of what has been held in ***D. Raja Rajeshwari Vs. R. Satish Kumar 2022 (2) SCC 329***, the Marriage Petition No.51 of 2022 pending on the file of learned Civil Judge Senior Division, Warora is hereby transferred to the learned Family Court, Akola.

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

4. The parties through counsel shall appear before the learned Civil Judge Senior Division, Warora 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, Akola.

5. It is made clear that the proceedings under Section 125 of Cr. P.C. as well as the one transferred by this order shall be kept on the same day so as to avoid any inconvenience to the non-applicant.

6. In case, it is permissible, the learned Family Court, Akola, shall consider the request of the non-applicant to appear through Video conferencing, if such facilities are available.

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

JUDGE

Sarkate