

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

MISC. CIVIL APPLICATION (TRANSFER) NO.422/2021

Mrs. Sneha w/o Kranti Jadhav

...Versus...

Mr. Kranti S/o Vitthalrao Jadhav

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

Court's or Judge's orders

Shri S. Raisuddin, Advocate for applicant
Mrs. I.P Khisti, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/09/2022

1. The application seeks transfer of Hindu Marriage Petition No.214/2020 instituted by the husband in the Court of 3rd Joint Civil Judge Senior Division, Nagpur to the Civil Judge Senior Division, Darwah, Yavatmal on the ground that the proceedings under Section 125 of the Code of Criminal Procedure, Section 498-A of Indian Penal Code and also under the Domestic Violence Act instituted by the applicant/wife are pending there, wherein the respondent is already appearing, Though Mrs. Khisti, learned counsel for the respondent vehemently opposes the application, however, considering what has been held in *D. Raja Rajeswari Vs. R. Sathish Kumar (2022) 2 SCC 329*, Hindu Marriage Petition No.214/2020 pending on the file of 3rd Joint Civil Judge Senior Division, Nagpur is hereby transferred to the Civil Judge Senior

Division, Darwah, District Yavatmal.

2. The parties shall appear before the Civil Judge Senior Division, Darwah, District Yavatmal 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 3rd Joint Civil Judge Senior Division, Nagpur 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, Darwah, District Yavatmal.

3. 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.

4. In case there is video conferencing facility available with the Civil Judge Senior Division, Darwah, District Yavatmal 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.

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