

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

**MISC. CIVIL APPLICATION (TR.) NO. 427 OF 2021**

Sau. Savita W/o. Shrikant Amzare and anr.

**...VERSUS...**

Shrikant S/o. Ambadas Amzare

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

*Court's or Judge's order*

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Shri. Sanjay R. Radke, Advocate for appellants.

**CORAM : SMT. M. S. JAWALKAR,J.**

**DATE : 14<sup>th</sup> JULY, 2022.**

In spite of service, none appeared for the respondent.

2. The present application is filed for transfer of Petition No. A-545 of 2020 pending with learned Family Court, Nagpur to learned Civil Judge, Senior Division, Wardha.

3. It is submitted that the marriage between applicant no. 1 and the respondent solemnized on 21/06/2018 at Akola. The respondent is in service as a Branch Head at Nabard Finance Company Ltd., Nagpur at present at Sillod, Aurangabad and earning handsome salary. The respondent compelled applicant no. 1 along with her son applicant no. 2 to come at Wardha during lockdown situation. She was ill-treated on account of demand of several articles by the non-applicant. She was also suffered with physical and mental cruelty at the hands of the non-applicant and was constrained to reside with her father at Wardha since 04/05/2020.

4. She has already filed application under Section 125 of the Code of Criminal Procedure on 28/09/2020 before Chief Judicial Magistrate, Wardha vide Misc. Criminal Application No. 4064/2020. The respondent has filed marriage petition under Section 22 of the Special Marriage Act, 1954 before Family Court, Nagpur on 29/07/2020.

5. It appears that the applicant no. 1 is not doing any job and she is house wife having minor son who is about 2 years old. In such circumstances, it would be inconvenient for her to attend the matter at Family Court at Nagpur from Wardha. Moreover, her parents are old aged about 64 to 66 years and suffering from severe disease. It would be very difficult for them to come to Nagpur with applicant no. 1 on each date.

6. Her submissions is not controverted as there is no appearance on behalf of the respondent. Hence, in the interest of justice and considering the reasons mentioned in the application, I proceed to pass the following order:-

**ORDER**

- 1)** The application is allowed.
- 2)** Petition No. A-545/2020 pending before Family Court No. 2, Nagpur is hereby withdrawn and be transferred to learned Civil Judge, Senior Division, Wardha.
- 3)** The Principal Judge, Family Court at Nagpur to facilitate the above referred transfer.
- 4)** Accordingly, the application is disposed of.

**(Smt. M.S. Jawalkar, J.)**