

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

MISC. CIVIL APPLICATION NO. 379 OF 2020

Mrs. Priti Manish Madavi

Vs.

Mr. Manish Ramchandra Madavi

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

Court's or Judge's Orders.

Ms. Smita Singalkar, Advocate for applicant.

CORAM : MANISH PITALE J.

DATE : 04.05.2022.

By this application, the applicant (wife) is seeking transfer of divorce petition filed by the respondent (husband) from the Court of Civil Judge Senior Division, Chandrapur to the Family Court at Nagpur.

2. This Court issued notice in the present application. The respondent was served but he has chosen not to appear before this Court.

3. In fact, this Court had adjourned the present application on 14.03.2022, to give a last chance to the respondent to appear before this Court. Yet, he has chosen not to appear and contest the present application.

4. The applicant and the respondent got married on 11.12.2017 at Nagpur. A girl child was born on 28.02.2019 from the wedlock. Due to matrimonial discord between the parties, they have been living separately. The applicant has stated that she is living with her widow mother at Nagpur. It is further submitted that the applicant has no independent source of income and it is extremely inconvenient for her to travel with the minor girl child from Nagpur to Chandrapur, to contest the divorce petition filed by the respondent before the Court at Chandrapur.

5. In such cases, convenience of the wife is one of the major considerations. The contentions raised on behalf of the applicant in the application have remained uncontroverted.

6. Hence, this Court is of the opinion that the applicant has made out sufficient ground for transfer of the proceedings. Accordingly, the application is allowed.

7. The divorce petition filed by the respondent bearing Hindu Marriage Petition No.205/2020, pending before the Court of Civil

Judge Senior Division, Chandrapur is transferred to the Family Court at Nagpur.

8. The Court at Chandrapur is directed to immediately transmit the record to the Family Court at Nagpur.

JUDGE

PRITY S
GABHANE

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