

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

MISC. CIVIL APPLICATION (MCA) NO. 476 OF 2021

Sau. Vaishnavi W/o. Sanjog Kaithwas

...VERSUS...

Sanjog alias Sonu S/o. Shripal Kaithwas

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

Court's or Judge's order

Ms. Parita Lakhani, Advocate h/f. Shri M.P. Kariya for applicant.

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

DATE : 23th JUNE, 2022.

Office note dated 29/12/2021 shows that the respondent is duly served. In spite of service, none appeared for the respondent.

2. As per the submissions of the applicant, there are three matters pending before Nagpur Court. Out of them, one is pending under Section 125 of the Criminal Procedure Code (Cr.P.C.) vide No. Petition E-316/2020 before Family Court, Nagpur and second is complaint filed under the Protection of Women from Domestic Violence Act which is pending before the Judicial Magistrate First Class, Nagpur vide Cri. M.A. No. 2837/2020, and after filing of these applications, the offence under Section 498-A of Indian Penal Code was registered and the charge-sheet is filed vide RCC No. 4021/2021 in the month of December, 2021. As such, there are three pending proceedings.

3. It is brought to the notice of this Court that the applicant is having no independent source of income. It is noticed that she was dropped at Nagpur by her husband on 11/08/2020, since then she is residing with her parents. In view thereof, I am satisfied that it would be inconvenient for the applicant to attend the proceedings at Yawatmal.

4. Her submissions is not controverted as there is no appearance on behalf of the non-applicant. Hence, in the interest of justice, the application is allowed.

5. The matrimonial proceedings vide Petition A-108/2021 pending before Civil Judge, Senior Division, Yawatmal which was subsequently transferred to the Family Court, Yawatmal is directed to be transferred to the Family Court, Nagpur.

6. The learned Principal Judge of Family Court, Yawatmal is hereby directed to take necessary steps for such transfer.

7. The application is disposed of accordingly.

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

B.T.Khapekar