

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

MISC. CIVIL APPLICATION (TR) NO.472 OF 2022

Neelam w/o Ankur Rajpuriya

Vs.

Ankur s/o Gopaldas Rajpuriya

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

Court's or Judge's orders

Ms. Swati Kulkarni/Potey, Advocate for applicant.

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/09/2022

1. The application seeks transfer of Marriage A-Petition No.1400 of 2021 pending on the file of Family Court, Nagpur to the Family Court, Nanded, on the ground that applicant/wife resides at Nanded and so also proceedings instituted by the applicant/wife for maintenance under Section 125 of Cr. P.C. is pending at Nanded, in which non-applicant/husband is already appearing.

2. Though the non-applicant is served, none appears. Considering what has been held in ***D. Raja Rajeshwari Vs. R. Satish Kumar 2022 (2) SCC 329***, the Marriage A-Petition No.1400 of 2021 pending on the file of learned Family Court, Nagpur is hereby transferred to the learned Family Court, Nanded.

3. The parties through counsel shall appear before the learned Family Court, Nanded 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 Family Court, Nagpur 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 learned Family Court, Nanded.

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, Nanded 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