

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

Criminal Application No. 77 of 2021

Swati Gaurav Sachdev @ Swat Suresh Harwani and others

Versus

Indra Mohan Sachdev

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

Court's or Judge's Order

Shri N.S.Warulkar, Advocate for the applicant.

Shri R.Siddharth, Advocate for the non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 25th APRIL, 2022.

This is an application for transfer of domestic violence case filed by the non-applicant, who is 70 years old lady, against her daughter- in-law and her family members, from Ulhasnagar, Thane to Amravati.

2. Shri Warulkar, learned counsel for the applicant submits that one domestic violence proceedings and proceedings initiated on a criminal complaint made by the applicant no.1, who is daughter-in-law of the non-applicant under Section 498-A read with Section 34 of Indian Penal Code is pending at Amravati. He, therefore, submits that as two

proceedings are going at Amravati and in both the proceedings non-applicant is a party, the proceeding filed by the non-applicant under Domestic Violence Act may also transfer to Amravati for the convenience of both the parties. Therefore, he prays to allow the present application.

3. On the other hand, learned counsel for the non-applicant strongly opposes the present application and submits that non-applicant is in advance stage of her life and she is suffering from ailments and it would be highly inconvenient for her if the proceedings filed by her would be transferred to Amravati. He accordingly prays for rejection of the present application.

4. To consider the rival contentions of the parties, I have perused the record and also proceedings which are pending at Amravati and Ulhasnagar, Thane.

5. It is not disputed that non-applicant is 70 years of age and the documents are filed on record to show that she is suffering from various ailments. Thus, at the advance stage of her life, it would not be convenient to transfer the proceedings filed by her at Amravati and to ask her to attend the said proceedings at Amravati, though, learned counsel for the applicant is

right in saying that she need not to attend on every dates of the proceedings. Still looking at her age, it would not be convenient for her to travel from Ulhasnagar, Thane to Amravati, even on few dates particularly looking at her health condition which is apparent from the medical documents filed on record.

6. In that view of the matter, I do not find any merit in the present application. Accordingly, I pass the following order.

ORDER

i. Criminal application is rejected.

[ANIL S. KILOR, J.]

SACHINDANAND
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