

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

MISC. CIVIL APPLICATION (TRANSFER) NO.503/2021

Sau. Roshani w/o Ashish Maski

...Versus...

Mr. Ashish s/o Mahadevraji Maski

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

Court's or Judge's orders

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/09/2022

1. Though served, none appears for the respondent. Learned counsel for the applicant is also absent.
2. The application seeks transfer of proceedings under Section 9 of the Hindu Marriage Act bearing Hindu Marriage Petition No.72/2020 instituted by the respondent/husband in the Court of Civil Judge Senior Division, Umred to the Civil Judge Senior Division, Chandrapur on the ground that the proceedings under Section 13 (1) (ia) of the Hindu Marriage Act vide Petition No.112/2021 and application under Section 125 of the Code of Criminal Procedure bearing Criminal Application No.9/2021 are already pending before the Courts at Umred, wherein the respondent is appearing. Considering what has been held in *D. Raja Rajeswari Vs. R. Sathish Kumar (2022) 2 SCC 329*, Hindu Marriage Petition No.72/2020 pending on the

file of Civil Judge Senior Division, Umred is hereby transferred to the Civil Judge Senior Division, Chandrapur.

3. The parties shall appear before the Civil Judge Senior Division, Chandrapur on 03/10/2022 through counsel and place a copy of this order before him to apprise him of the same. The parties shall also appear before the Civil Judge Senior Division, Umred through counsel and place a copy of this order before the learned Court in order to apprise him of the same and so also to enable him to transfer the record to the Civil Judge Senior Division, Chandrapur.

4. It is made clear that all proceedings instituted by the wife as well as the one hereby transferred shall be listed on the same date so as to avoid any inconvenience to the respondent/husband.

5. In case there is video conferencing facility available with the Civil Judge Senior Division, Chandrapur any application filed by the respondent for appearing in the proceedings through video conferencing shall be taken into consideration unless the personal physical presence is desired by the Court.

6. The Misc. Civil Application is allowed accordingly. No order as to costs.

(AVINASH G. GHAROTE, J.)