

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

**MISC. CIVIL APPLICATION (TR) NO. 539 OF 2021  
WITH  
MISC. CIVIL APPLICATION (TR) NO. 541 OF 2021**

Sau. Rupali W/o. Sachin More,  
Aged about 27 years, Occ.: Household,  
R/o. Bhim Nagar, Railway Quarters,  
RB 2/49, Near Water Tank, Sawangi  
Meghe, Wardha, Tq. & Dist. Wardha.

.... **APPLICANT.**

**// VERSUS //**

Shri Sachin S/o. Bhimrao More,  
Aged about 31 years, Occ.: Service,  
R/o. Renuka Nagar-1, Ward No.12,  
Shegaon, Taluka-Shegaon, District:  
Buldhana.

.... **NON-APPLICANT**

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Shri Mahesh Rai & Ms. Naina Dhoke, Advocates for Applicant.  
Shri V.S.Wankhade & Shri G.S.Shegaonkar, Advocates for Non-applicant.

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**CORAM : SMT.ANUJA PRABHUDESSAI, J.**  
**DATED : JANUARY 21, 2022.**

**ORDER : (P. C.)**

1. Heard

2. By these applications, the applicant has sought transfer of  
Petition No. A-83 of 2019 filed by the non-applicant under Section 13(1)(i-a)

of the Hindu Marriage Act, 1955 and Petition No. A-119 of 2018 filed by the applicant under Section 9 of the Hindu Marriage Act, 1955 from Family Court, Akola to Civil Judge Senior Division, Wardha.

3. The learned counsel for the applicant and the non-applicant state that the applicant-wife is residing with her parents at Wardha and that she has also filed an application under Section 125 of the Code of Criminal Procedure, which is pending before Judicial Magistrate First Class at Wardha.

4. The applicant is residing at Wardha with her parents. She has filed an application under Section 125 of the Code of Criminal Procedure, which is pending before Judicial Magistrate First Class, Wardha. The applicant has stated that it will cause inconvenience to her to attend the cases at Akola, since she has no source of income. Therefore, she has prayed for transfer of proceedings under Section 13(1)(i-a) and Section 9 of the Hindu Marriage Act, 1955 to the Court of Civil Judge Senior Division, Wardha.

5. Learned counsel appearing for the non-applicant, under instructions, states that the non-applicant has no objection for transferring the said proceedings to Civil Judge Senior Division, Wardha.

6. Hence, the following order.:

- i) Both the Miscellaneous Civil Applications are **allowed**.
- ii) Petition No.A-83 of 2019 under Section 13(1)(i-a) and Petition No.A-119 of 2018 under Section 9 of the Hindu Marriage Act, 1955 pending on the file of Family Court, Akola are ordered to be transferred to the Court of Civil Judge Senior Division, Wardha.
- ii) The records and proceedings, in respect of both the petitions, be forwarded to Civil Judge Senior Division, Wardha.

(SMT. ANUJA PRABHUDESSAI, J)

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