

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

MISC. CIVIL APPLICATION NO.552/2022

Kavita W/o Digvijay Shelokar @ Kavita Pandurang Bhoyar
...Versus...
Digvijay S/o Vitthalrao Shelokar

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

Court's or Judge's orders

Shri Vivek Awchat, Advocate for applicant
Shri P.A. Jibhkate, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 06/12/2022

1. The application seeks transfer of Hindu Marriage Petition No. A-884/2022 pending before the Family Court No.3, Nagpur to the Family Court, Yavatmal on the ground that the applicant is a resident of Yavatmal and has already filed the proceedings under Section 12 of the Protection of Women from Domestic Violence Act before the Judicial Magistrate First Class, Yavatmal, in which the respondent has already been served and would be appearing.

2. Though the transfer is vehemently opposed by the learned counsel for the respondent, however, considering what has been held in *D. Raja Rajeswari Vs. R. Sathish Kumar*

(2022) 2 SCC 329, the misc. civil application is allowed.

3. The parties shall appear before the Family Court, Yavatmal on 16/12/2022. The respondent shall place a copy of this order before Family Court, Nagpur to apprise it of the same and enable to transfer the record and proceedings to the Family Court, Yavatmal. All the proceedings before the Court at Yavatmal shall be fixed on the same date so as to avoid any inconvenience to the respondent/husband.

4. If the video conferencing facilities are available at Family Court, Yavatmal, the physical presence of the respondent shall not be insisted upon, unless so required by an order by the Court.

5. The misc. civil application is disposed of accordingly. No order as to costs.

(AVINASH G. GHAROTE, J.)

Rvjalit