

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

Misc. Civil Application (MCA) No.569/2021

Sou. Poonam w/o Dinesh Basene Vs. Shri Dinesh s/o Limbaji Basene

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

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Court's or Judge's Orders

Ms. Bhavika Hindustani, Advocate h/f Shri Akhtar Nawab Ansari, Advocate for the Applicant.

CORAM : **SMT. ANUJA PRABHUDESSAI, J.**

DATE : **5th JANUARY, 2022.**

01] By this application, the Applicant-Wife has sought transfer of Hindu Marriage Petition No.311/2020 from the Court of 4th Jt. Civil Judge (Senior Division), Nagpur to the Civil Judge (Senior Division), Warora.

02] Heard learned counsel for the Applicant-Wife. I have perused the records. It is seen that the Applicant-Wife is residing in her parental house at Warora. The Respondent-Husband has filed Hindu Marriage Petition No.311/2020 before the Family Court, Nagpur. The Applicant-Wife has sought transfer of the proceedings mainly on the ground that it is difficult for her to travel alone from Warora to Nagpur, which is at a distance of about 120 kms. The Applicant-Wife has stated that the proceedings under the Protection of Women from Domestic Violence Act, 2005 are pending before Judicial Magistrate First Class, Warora and as such no prejudice will be caused to the Respondent-Husband. The Respondent-Husband, though duly served, has not put in his appearance and has not objected the transfer petition.

03] Taking into consideration the facts and circumstances of the case, the application is allowed. Hindu Marriage Petition No.311/2020 pending on the file of 4th Jt. Civil Judge (Senior Division), Nagpur is ordered to be transferred to the Court of Civil Judge (Senior Division), Warora. The records and proceedings of Hindu Marriage Petition No.311/2020 be forwarded to the Court of Civil Judge (Senior Division), Warora.

04] The application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)

Vijay