

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

MISC. CIVIL APPLICATION NO. 54 OF 2022

Sau. Shubhangi @ Durga Kiran Mahale__ Vs. __Kiran @ Keshav Chandrakant
Mahale

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

Court's or Judge's orders

Mr. A.A.Bhate, Advocate for applicant
None for Non-applicant

CORAM : AVINASH G. GHAROTE, J.
DATE : 25/11/2022

1] Though the respondent is served, none appears. The application seeks transfer of Hindu Marriage Petition No.112/2021 pending before the learned Civil Judge, Senior Division, Bhusaval to the learned Civil Judge, Senior Division, Buldhana, on the ground that applicant is residing of Buldhana and proceedings under Section 125 of Cr.P.C. bearing Criminal Misc. Application No. 03/2021 is pending in the Court of learned Chief Judicial Magistrate, Buldhana, and it is impossible for her to travel to Bhusaval, which is around 104 kilometers away, on each and every date to attend the proceedings. Considering what has been held in *D. Raja Rajeswari Vs. R. Sathish Kumar (2022) 2 SCC 329*, Hindu Marriage Petition No.112/2021 pending before the learned Civil Judge, Senior Division, Bhusaval, is hereby transferred to the Civil Judge Senior Division, Buldhana.

2] The parties shall appear before the Civil Judge Senior Division, Buldhana, on 02/12/2022 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, Bhusaval, 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, Buldhana.

3] In case there is video conferencing facility available with the Civil Judge, Senior Division, Buldhana, 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.

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

JUDGE

Rvjalit