

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

MISC. CIVIL APPLICATION (TRANSFER) NO.579/2021

Dr. (Sau.). Dhanshree w/o Dr. Dinesh Thakur

...Versus...

Dr. Dinesh son of Jaywantrao Thakur

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

Court's or Judge's orders

Mrs. S.N. Deshpande, Advocate for applicant
Shri Y.N. Thengre, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/09/2022

1. The application seeks transfer of Hindu Marriage Petition No.306/2021 pending before Civil Judge (Senior Division), Dhule to the Family Court at Nagpur, in which the proceedings under Section 9 of the Hindu Marriage Act instituted by the applicant/wife is pending, wherein the respondent is already appearing. The distance between Nagpur and Dhule is more than 500 kilometers and Shri Thengre, learned counsel on behalf of the respondent has expressed the inability of the respondent to defray the expenses for travelling and residence of the applicant along with a companion to Dhule. Hence, considering what has been held in *D. Raja Rajeswari Vs. R. Sathish Kumar (2022) 2 SCC 329*, Hindu Marriage Petition No.306/2021 pending before

the Civil Judge (Senior Division), Dhule, is hereby transferred to the Family Court, Nagpur.

2. The parties shall appear before the Family Court, Nagpur 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), Dhule 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 Family Court, Nagpur.

3. 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.

4. In case there is video conferencing facility available with the Family Court, Nagpur, 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.

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

(AVINASH G. GHAROTE, J.)