

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

MISC. CIVIL APPLICATION (TRANSFER) NO.582/2021

Sau. Rupali w/o Chandrakiran Pendharkar

...Versus...

Shri Chandrakiran S/o Arunrao Pendharkar

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

Court's or Judge's orders

Ms R.R. Gajbhiye, Advocate h/f Shri Mahesh Rai, Advocate for applicant

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/09/2022

1. Though the respondent is served, none appears. The application seeks transfer of Hindu Marriage Petition No.134/2021 instituted by the husband in the Court of Civil Judge, Senior Division, Achalpur to the Civil Judge, Senior Division, Wardha on the ground that the proceedings under Section 23 of the Domestic Violence Act instituted by the applicant/wife are pending at Wardha, wherein the respondent is already appearing. Considering what has been held in *D. Raja Rajeswari Vs. R. Sathish Kumar (2022) 2 SCC 329*, Hindu Marriage Petition No.134/2021 pending on the file of Civil Judge, Senior Division, Achalpur is hereby transferred to the Civil Judge, Senior Division, Wardha.

2. The parties shall appear before the Civil Judge, Senior Division, Wardha 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, Achalpur 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, Wardha.

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 Civil Judge, Senior Division, Wardha 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.)