

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

MISC. CIVIL APPLICATION NO. 53 OF 2022

Chetna W/o Vishnu Parmar

-- Applicant

Vs.

Vishnu s/o Nannu Parmar

-- Non-applicant

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

Court's or Judge's orders

Mr. C.F. Bhagwani, Advocate for Applicant

CORAM : MANISH PITALE, J.

DATE : 12th APRIL, 2022

By this application, the applicant is seeking transfer of a petition for restitution of conjugal rights filed by the non-applicant at the competent Court at Parbhani to the competent Court at Nagpur.

2. This Court issued notice in this application, wherein the non-applicant was served, but, he has chosen not to appear before this Court.

3. The marriage between the parties took place on 05/05/2011 and a son was born out of wedlock on 10/07/2014.

4. Due to matrimonial discord between the parties, the applicant and non-applicant are separated. The applicant

is living with her parents at Parsoda, District Nagpur, while the non-applicant is the resident of Parbhani.

5. It is submitted on behalf of the applicant that since the minor child is living with her and she is totally dependent on her parents, who are agriculturists, she is finding it difficult to attend the proceedings at Parbhani. With the result, she is unable to represent her cause effectively in the Court at Parbhani.

6. Since the statements made in the application have gone uncontroverted, the applicant has made out a case for transfer. Accordingly, the application is allowed.

7. Hindu Marriage Petition bearing No.106/2020 (Vishnu Parmar Vs. Chetna Parmar) filed by the non-applicant for restitution of conjugal rights is transferred from the Court of Civil Judge (Senior Division), Parbhani, to the Court of Civil Judge (Senior Division) Nagpur.

8. The Court of Civil Judge (Senior Division), Parbhani is directed to immediately transmit the record of the said petition to the Court of Civil Judge (Senior Division) Nagpur.

JUDGE