

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

MISC. CIVIL APPLICATION (TR) NO.20 OF 2022

Shital Santosh Shere
Vs.
Santosh Hirasing Shere

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

Court's or Judge's orders

Mr. S. B. Gandhe, Advocate for applicant.
Mr. V. N. Patre, Advocate for non-applicant.

CORAM : AVINASH G. GHAROTE, J.
DATE : 23/09/2022

1. The application seeks transfer of marriage Petition No.A/2023/2021 pending on the file of learned Court Family Court, Pune to the file of Civil Judge Senior Division, Mangrulpir, on the ground that the applicant/wife resides there and so also proceedings under the D.V. Act as well as under Section 498-A of the I.P.C. have already been instituted at Manora near Mangrulpir in which, non-applicant/husband has already appearing, in view of what has been held in ***D. Raja Rajeshwari Vs. R. Satish Kumar 2022 (2) SCC 329*** and ***Sangamitra w/o Ramakant Royalwar Vs. Ramakant s/o Gangaram Royalwar 2009 (1) Mh. L.J. 303***, the Marriage Petition No. A/2023/2021 pending on the file of learned Family Court, Pune is hereby transferred to the file of Civil Judge Senior Division, Mangrulpir.

2. The parties through counsel shall appear before the Civil Judge Senior Division, Mangrulpir on 3.10.2022 and place a copy of this order before the learned Court to apprise it of the same.

3. The parties through counsel shall appear before the Family Court, Pune and place a copy of this order before the learned Court to apprise it of the same, so as to enable it to transmit the record to the Civil Judge Senior Division, Mangrulpir.

4. It is made clear that the proceedings under Section 125 of Cr. P.C as well as those under the D.V. Act proceedings and the one transferred by this order shall be kept on the same day so as to avoid any inconvenience to the non-applicant.

5. In case, it is permissible, the learned Civil Judge Senior Division, Mangrulpir, shall consider the request of the non-applicant, to appear through Video conferencing, if such facilities are available.

6. The application is accordingly allowed, in the above terms. No costs.

JUDGE