



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

MISC. CIVIL APPLICATION (TR.) NO. 431/2023

Smt. Rekha w/o Sanjay Khandekar
Vs.
Shri Sanjay Ishwardas Khandekar

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

Court's or Judge's orders

Shri G.G. Bade, Advocate for applicant
Shri B.K. Suchak, Advocate for respondent

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 04/12/2023

Heard learned Counsel for applicant as well as non-applicant. The present application is filed by applicant/wife for transfer of Divorce Petition No.6/2018 pending on the file of learned District Judge, Akola.

2. The applicant is legally wedded wife of non-applicant. Their marriage came to be performed on 12/12/2004. It is her contention that due to ill treatment by the non-applicant, she was constrained to leave her matrimonial house and started to reside at Nagpur.

3. The distance between Akola to Nagpur is around 250 km. There is execution proceeding

bearing No.48/2022 pending at Nagpur. As such, there is no any inconvenience going to cause to the non-applicant. Moreover, applicant has filed certificate on record having some Hypertensive Heart Disease. As such, she requested that it is not possible to attend the proceedings at Akola. As such, considering the medical ground placed by the applicant and considering distance between Akola to Nagpur, it would be appropriate to transfer proceeding pending at Akola to Nagpur.

4. The learned Counsel for non-applicant vehemently submitted that it would not possible to attend each date. As such, he is permitted to appear through video conference except the dates on which his personal presence is required by the Court. Accordingly, I proceed to pass the following order:

ORDER

- i) The application is allowed.
- ii) The proceeding i.e. Divorce Petition No.6/2018 pending on the file of learned District Judge, Akola is hereby withdrawn and transferred to Family Court No.2, Nagpur.
- iii) The learned Principal District and

Sessions Judge, Akola is requested to facilitate the transfer.

iv) The respondent is at liberty to appear through video conference except the dates on which his personal presence is required by the Court.

The application stands disposed of accordingly.

JUDGE

R.S. Sahare