



THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION (TR.) NO. 285 OF 2023

MONIKA VIVEK DHAWALE

...VERSUS...

VIVEK RAJARAM DHAWALE

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

Court's or Judge's order

Shri A.J.Dhoble, Advocate for applicant.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 28th NOVEMBER, 2023

Heard the learned counsel for the applicant.

2. In spite of service, none appears for the non-applicant.

3. The present application is filed for transfer of Marriage Petition bearing No. A-520/2022 pending on the file of learned Family Court, Aurangabad to learned Family Court, Nagpur.

4. It is the contention of the applicant that she is legally wedded wife of the non-applicant and their marriage was solemnized on 26/12/2021 at Tulja Lawn, Kamptee Road, Nagpur. After marriage, the applicant started residing with her husband at Jalna. Thereafter, the applicant was physically and mentally harassed by the non-applicant. She was driven out from her matrimonial home. Therefore, she was constrained to leave her matrimonial home on 13/01/2022 and came to reside at her mother's house at Nagpur.

5. It appears that the non-applicant has filed Petition bearing No. A-520/2022 before learned Family Court, Aurangabad. The

distance between Nagpur to Aurangabad is around 500 km. The applicant has only mother who is doing a private job and father of the applicant is no more alive. In such circumstances, it would be difficult to the applicant to travel from Nagpur to Aurangabad. On the other hand, the non-applicant is doing a business and he is financially sound and therefore, he can attend the proceedings at Nagpur. As such, it would be appropriate to transfer the proceedings from learned Family Court, Aurangabad to learned Family Court, Nagpur.

6. In my considered opinion, it would cause inconvenience and hardship to the applicant if she attends the proceedings before learned Family Court, Aurangabad from Nagpur. As such, the application is allowed.

7. The Petition bearing No. A-520/2022 pending on the file of learned Family Court, Aurangabad is hereby withdrawn and transferred to learned Family Court, Nagpur.

8. The learned Principal Judge, Family Court, Aurangabad is hereby requested to facilitate the said transfer.

9. Accordingly, the application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar