



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

MISC. CIVIL APPLICATION (TR) NO. 422/2023

Rajani W/o Manoj Bagade

Vs.

Manoj Fatthuji Bagade

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

Court's or Judge's orders

Ms Falguni Badani, Advocate for applicant
Shri S.D. Khatri, Advocate for respondent

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

DATE : 17/08/2023

Heard.

2. Present applicant filed by applicant/wife for transfer of proceeding bearing Marriage Petition No. 40/2023 from Civil Judge Senior Division, Nagpur to learned Civil Judge Senior Division, Chandrapur.

3. It is submitted by learned Counsel for appellant that there are two proceedings pending at Chandrapur bearing No. 882/2022 under Section 498-A of the Indian Penal Code and R.C.C. No. 696/2022 pending before learned J.M.F.C., Chandrapur and proceeding under P.W.D.V.A. Act bearing No. 169/2022, pending before the learned J.M.F.C., Chandrapur.

3. The parents of the applicant are already expired and she is living at the mercy of her brother. The distance between Nagpur and Chandrapur is 150 k.m.

and she would require to travel 300 k.m. per day to attend the matter. Whereas, the respondent is already attending the matter at Chandrapur.

4. Considering all these difficulties and inconvenience caused to the applicant, application is required to be allowed.

5. The son of the applicant who is disabled is presently in the temporary custody of respondent for medical treatment. As such, application is required to be allowed. Accordingly, I proceed to pass the following order

ORDER

- i) Application is allowed.
- ii) The Marriage Petition No. 40/2023, pending before the learned Civil Judge Senior Division, Nagpur is hereby withdrawn and transferred to the learned Civil Judge Senior Division, Chandrapur.
- iii) The learned Civil Judge Senior Division, Chandrapur, is hereby directed to fix the dates as per the dates given in the criminal proceedings, so that it would be convenient for respondent to attend the matter at Chandrapur.
- iv) Principal District Judge, Nagpur is hereby requested to facilitate the transfer.

Application stands disposed of.

(SMT. M.S. JAWALKAR, J.)

Jayashree..