



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

MISC. CIVIL APPLICATION (TR.) NO. 489/2023

Minakshi W/o Gopal Jondhale
Vs.

Gopal S/o Narayanrao Jondhale

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

Court's or Judge's orders

Shri A.A. Zade, Advocate for applicant
Shri G.N. Shinde, Advocate for non applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 05/10/2023

Present application is filed for transfer of Marriage Petition No. 99/2023, proceeding under Section 9 of the Hindu Marriage Act, from Jt. Civil Judge Senior Division, Amravati to Civil Judge Senior Division, Darwaha.

2. It is submitted that the applicant is legally wedded wife of non applicant. Their marriage was performed on 22/04/2016, at Digras. After marriage, she went to reside at her matrimonial house and she was

blessed with one daughter on 01/06/2017. Due to mental as well as physical harassment, she returned back to her parental house which is situated at Digras.

3. The application is opposed by respondent.

4. Without going into merits of the matter, it can be seen that distance between Digras to Amravati is 120 km and if she would require to attend the matter at Amravati, she would require to travel 240 km per date. Having daughter of five years old, it would be inconvenient for the applicant to attend the matter at Amravati.

5. It is informed by learned Counsel for applicant that applicant has also filed application for maintenance at Digras vide Cri.M.A. No. 65/2023 and P.W.D.V.A. No. 53/2023 at J.M.F.C., Digras. As such, the non applicant would require to attend the same. The applicant has no difficulty to attend C.J.S.D., Darwha, as distance between Darwha to Digras is hardly 30 km.

6. Considering the inconvenience and hardship,

which would cause to applicant, application needs to be allowed. Accordingly, I proceed to pass the following order :

ORDER

(i) The Marriage Petition No. 99/2023, pending on the file of Jt. C.J.S.D., Amravati, is hereby withdrawn and transferred to C.J.S.D., Darwha.

(ii) The Principal District Judge, Amravati, is hereby requested to facilitate the transfer.

Application stands disposed of.

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