



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

MISC. CIVIL APPLICATION (TR.) NO.570/2023

Mayuri w/o Ajay Dhole (Mayuri d/o Prakash Dangre)
Vs.
Ajay s/o Giridhar Dhole

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

Court's or Judge's orders

Shri R.R. Dhawad, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 23/08/2023

In spite of service, none for the respondent.

2. The present application is filed by wife for transfer of proceedings pending on the file of Family Court, Nagpur to the learned Civil Judge, Senior Division, Wardha. The applicant is legally wedded wife of respondent and marriage was solemnized on 19/07/2021 at Pulgaon, Wardha. Due to dispute, applicant was constrained to reside at her parents house. She has filed application dated 12/04/2022 under Section 12 of the Protection of Woman from Domestic Violence Act, 2005 vide proceeding No.08/2022. The respondent was directed to pay Rs.8000/- by way of interim maintenance and non-applicant filed Revision Application before the learned Sessions Judge, Wardha vide Criminal Revision Application No.03/2022 on 16/01/2023. Respondent also filed petition under Section 13 (1)(i-a) of Hindu

Marriage Act, 1955 before Family Court, Nagpur. The respondent only with the view to harass the applicant filed petition at Nagpur.

3. The learned Counsel for applicant submitted that there is one proceeding pending at Wardha. In view thereof, the matter pending before the Family Court, Nagpur can be transferred to the Civil Judge, Senior Division, Wardha. The respondent herein is required to attend the proceedings at Pulgaon and one proceeding which he has filed at Wardha. As such, no inconvenience is going to cause to the respondent if matter will be transferred to Wardha. The applicant will require to attend proceeding at Pulgaon, at Wardha as well as Nagpur.

4. Considering the reasons stated above, I am satisfied that it will be in the interest of justice to transfer the proceedings pending on the file of learned Family Court, Nagpur i.e. H.M.P. No.A/173/2023 to the Civil Judge, Senior Division, Wardha to avoid inconvenience and hardship to applicant. Accordingly, I proceed to pass the following order:

O R D E R

- i) The application is allowed.
- ii) The proceeding i.e. H.M.P. No. A/173/2023 pending on the file of the Family Court, Nagpur is hereby withdrawn and transferred to learned Civil Judge, Senior Division, Wardha.

iii) The learned Principal Judge, Family Court, Nagpur is requested to facilitate the transfer.

The application stands disposed of accordingly.

JUDGE

R.S. Sahare