

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

MISC. CIVIL APPLICATION (MCA) NO. 599/2023

Sau Puja Vivek Jomodkar
Vs.
Vivek S/o Ganeshrao Jamodkar

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

Court's or Judge's orders

Shri R.D. Karode, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 02/08/2023

In spite of service, respondent chooses to remain absent.

2. Present application is filed for transfer of petition No. A-86/2023, pending on the file of Family Court at Amravati to the Civil Judge, Senior Division, Malkapur, District Buldhana. The applicant is legally wedded wife of respondent. Their marriage was performed on 24/12/2020 at Malkapur, District Buldhana. Out of the said wedlock, the appellant and respondent had one son namely 'Shivansh' aged one and half year. As there was dispute and alleged cruelty, the applicant residing at her parents house since 30/08/2021. The baby was premature one and the said premature baby had undergone major eye surgery at the

stage of one and half year. Supporting, medical documents are placed on record. The applicant filed Misc. Criminal Application bearing No. 35/2023 before JMFC, Malkapur. The distance between Amravati from Malkapur, as informed by learned Counsel is around 200 k.m. As such, I am satisfied that inconvenience would cause to the applicant to attend the dates at Amravati in marriage petition along with small child of one and half year. As against this respondent can attend proceeding at Malkapur. Accordingly, I proceed to pass the following order :

ORDER

1. application is allowed.
2. The Petition No. A-86/2023, pending on the file of learned Family Court, Amravati is hereby withdrawn and transferred to Civil Judge Senior Division, Malkapur, District Buldhana.
3. The learned Principal Family Court Judge, is hereby requested to facilitate the transfer.
4. Application stands disposed of.