



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

**MISC. CIVIL APPLICATION (TR.) NO.756/2023**

Mrs. Shraddha w/o Vikas Garad

Vs.

Vikas s/o Uttam Garad

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

Court's or Judge's orders

-----  
Ms Kanak Y. Mandpe, Advocate for applicant

**CORAM : SMT. M.S. JAWALKAR, J.**  
**DATED : 21/12/2023**

Heard learned Counsel for applicant.

2. In spite of service and in spite of granting opportunity, none for the non-applicant.

3. The present application is filed by applicant for transfer of Hindu Marriage Petition No.A. 817/2023 pending before the learned Family Court No.5, Pune to learned Family Court No.4, Nagpur.

4. The applicant is legally wedded wife of non-applicant. Their marriage came to be performed on 06/05/2018 at Pune. It is contention of applicant that due to the pressure and tremendous physical and mental tension, she

resigned her job at Pune and started living as a housewife. But non-applicant continue to harass the applicant. As such, she was constrained to leave her matrimonial house and started residing with her parents house.

5. She filed application under Section 125 of the Criminal Procedure Code before the Family Court No.4, Nagpur for grant of maintenance.

6. As against this, the non-applicant also filed petition under Section 13 1(1a) of Hindu Marriage Act before the learned Family Court No.5, Pune.

7. The distance between Nagpur to Pune is around 800 km. As such, inconvenient and hardship would cause if applicant required to attend the proceeding at Pune.

8. Considering the distance and considering the inconvenience which is going to cause to the applicant, I am satisfied that the application needs to be allowed. Accordingly, I proceed to pass the following order:

### **ORDER**

- i) The application is allowed.

ii) The proceeding i.e. H.M. Petition No.A.817/2023 pending on the file of learned Family Court No.5, Pune is hereby withdrawn and transferred to learned Family Court No.4, Nagpur.

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

iv) The non-applicant is permitted to appear through video conferencing except on the date when Court requires his personal attendance.

The application stands disposed of accordingly.

**JUDGE**

*R.S. Sahare*