



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

MISC. CIVIL APPLICATION NO.746/2022

Sau. Mayuri w/o Sarang Punwatkar
Vs.
Sarang s/o Narayan Punwatkar

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

Court's or Judge's orders

Shri R.D. Murkute, Advocate for applicant
Shri I.M. Ghongade, Advocate for respondent

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 25/09/2023

Heard learned Counsel for both the parties.

2. The present application is filed for transfer of the proceedings pending before the Family Court, Yeotmal to Family Court, Nagpur. It is contended by learned Counsel for applicant that applicant is legally wedded wife of the non-applicant. The marriage was solemnized as per Hindu rites and customs on 30/12/2015 at Chimur. The applicant due to cruelty meted out to her, constrained to reside at her parents house at Chimur. The non-applicant has filed application for dissolution of marriage bearing H.M.P. No.A-207/2021 at Yeotmal Family Court which is at around 160 k.m. from Chimur and she requires to travel at around 330 km. on the dates. She further submitted that she has already filed petition under Section 12 of the Protection of Women from Domestic Violence Act before the learned J.M.F.C. Chimur

bearing Misc. Cri. Case No.06/2021. She is unemployed and is living with her old mother and having a small child of 5 years.

3. The learned Counsel for respondent vehemently opposed the application on the ground that Doctor advised him for hip replacement and to take rest and to avoid travelling. He placed on record the medical certificate.

4. However, considering the inconvenience to the wife, I am of the considered opinion that it would be in the interest of justice to transfer the Hindu Marriage Petition No.A-207/2021 pending on the file of Family Court, Yeotmal to the Civil Judge, Senior Division, Warora. Though, request was made by learned Counsel for applicant that it may be transferred to Nagpur, in my considered opinion, Warora is the nearest place from Chimur and applicant is ready to attend matter at Warora. Hence, I proceed to pass the following order:

ORDER

- i) The application is allowed.
- ii) The proceedings in H.M.P. Petition No. A-207/2021 pending on the file of Family Court Yeotmal is hereby withdrawn and transferred to the learned Civil Judge, Senior Division, Warora.
- iii) The respondent and his witnesses are permitted to appear through Video Conference before

the Court on the dates, unless the Court orders their presence before the Court.

iv) The learned Principal Judge, Yeotmal is hereby requested to facilitate the transfer.

The application stands disposed of.

JUDGE

R.S. Sahare