



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

MISC. CIVIL APPLICATION (TR.) NO.724/2023

Sonu w/o Devanand Bandurkar
Vs.
Devanand Madhukar Bandurkar

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

Court's or Judge's orders

Ms Nazia Pathan, Advocate h/f Dr. Renuka Sirpurkar, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 18/12/2023

Heard learned Counsel for the applicant.

2. In spite of service, no appearance on behalf of non-applicant.
3. The present application is filed by applicant for transfer of Hindu Marriage Petition No.46/2023 pending before the learned Civil Judge, Senior Division, Kelapur to the learned Civil Judge, Senior Division, Warora.
4. The applicant is legally wedded wife of non-applicant. Their marriage was solemnized on 30/04/2016 at Bhadrawati. They are blessed with a daughter on 23/08/2017. It is alleged that there was physical, mental and financial harassment by

the non-applicant. Therefore, applicant constrained to leave her matrimonial house and started to reside with her parents and filed application under Section 12 of the Protection of Women from Domestic Violence Act before the learned Civil Judge Junior Division, Bhadrawati, Misc. Cri. Application No.42/2022.

5. As against this, the non-applicant filed divorce petition under Section 13(1)(1a) of the Hindu Marriage Act before the learned Civil Judge, Senior Division, Kelapur.

4. The distance between Bhadrawati to Kelapur is around 150 km. As such, considering her responsibility of child and considering the distance, there is inconvenient and hardship would cause to attend the proceeding at Kelapur. Whereas, the non-applicant is already attending the matter in the proceeding PWDV Act at Bhadrawati. As such, I proceed to pass the following order:

ORDER

- i) The application is allowed.
- ii) The proceeding i.e. H.M. Petition No.46/2023 pending before the Civil Judge,

Senior Division, Kelapur is hereby withdrawn and transferred to learned Civil Judge, Senior Division, Warora.

iii) The learned Senior Most Judge, Kelapur is requested to facilitate the transfer.

The application stands disposed of accordingly.

JUDGE

R.S. Sahare