



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

...

CRIMINAL APPLICATION (APPLN) NO. 66/2023

- Preeti w/o Nilesh Nandurkar

.. Applicant /s

versus

Nilesh s/o Kamlakar nandurkar and others

.. Respondents

.....
Mr.A. Mahajan, Adv. for the applicant

Mr.Abdul Kalam Kureshi, Adv.for Respondents
.....

CORAM: ANIL L. PANSARE, J.

DATED : 11th September, 2023.

PC:

Heard.

2. The applicant-wife is praying for transfer of Case No. PWDVA No. 121/2017 (*Preeti vs. Nilesh and others*) pending on the file of learned Judicial Magistrate, First Class Court No.7, Chandrapur to the Family Court No.3, Nagpur. The transfer has been sought on the count that the applicant was earlier residing at Chandrapur but has now been shifted to Nagpur. Further ground is that, non-applicant-husband has filed a petition under section 13 (1)(a) of the Hindu Marriage Act, 1955 before the Family Court No.3 at Nagpur. The non-applicants are residing at Nagpur. Thus, both the parties will be benefitted if the case pending before the Magistrate at Chandrapur is transferred to Nagpur.

2. The learned counsel for the non-applicants submits that the non-applicant husband has no objection for allowing the prayer. However, according to the counsel, the applicant has not shifted to Nagpur but is residing at Warora, Dist.Chandrapur.

3. Presuming that the applicant is residing at Warora Dist. Chandrapur, the prayer if allowed, will not cause any prejudice to the non-applicants, rather it will be convenient for the non-applicants who are residing at Nagpur to attend the Court proceedings. That being so, there appears no reason why the prayer put forth should not be allowed. Hence the order:

ORDER

- i) The Application No.66/2023 is allowed.
- ii) The case No. PWDVA No. 121/2017 (Preety vs. Nilesh & others) pending on the file of learned Judicial Magistrate, First Class, Court No.7 at Chandrapur, stands transferred to the Family Court No.3 at Nagpur.
- iii) Copy of this order be served upon both the Courts below.

[ANIL L. PANSARE, J.]