

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

MISC. CIVIL APPLICATION (TR.) NO. 834 OF 2022

SMT. SHARANA TARANNUM W/O. SHOEB SAYYAD

...VERSUS...

MR. SHOEB S/O. RAFIQUE SAYYAD

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

Court's or Judge's order

Ms. Mitisha S. Kotecha, Advocate for applicant.
Shri A.A.Choube, Advocate for non-applicant.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 12th JUNE, 2023

Heard learned counsel for both the parties.

2. The present application is filed by the wife/applicant for transfer of proceedings bearing Petition No. B-30/2022 pending on the file of learned Principal Judge, Family Court, Nagpur to the learned Civil Judge, Senior Division, Chandrapur.

3. It is contended that the marriage between the applicant and non-applicant was solemnized on 23/12/2018. It is further contended that the non-applicant is serving at Thermal Power Station, Chandrapur, therefore, after marriage, both are residing at Chandrapur. After joining of parents of the non-applicant at Chandrapur, there was unnecessary interference by the parents of the non-applicant which was caused harassment to the applicant. The non-applicant started torturing and misbehaving with the applicant. It is further submitted that thereafter, without intimating to the applicant, the non-applicant

unreasonably left the company of the applicant. The non-applicant was allotted the Government Quarter wherein the applicant is residing. It is submitted that just to harass the applicant, the non-applicant has filed proceedings bearing Petition No. B-30/2022 before learned Principal Judge, Family Court, Nagpur, whereas the parties are residing at Chandrapur. The marriage was also performed at Chandrapur. As such, the applicant has prayed for transfer of Petition No. B-30/2022 pending on the file of learned Principal Judge, Family Court, Nagpur to learned Civil Judge, Senior Division, Chandrapur.

4. Though the application is opposed by learned counsel for the non-applicant, I am satisfied with the reasons mentioned in the application and it would be appropriate to transfer this proceedings to learned Civil Judge, Senior Division, Chandrapur as the non-applicant is also serving at Chandrapur and there would not be any inconvenience to the non-applicant for attending the proceedings at Chandrapur. As such, I proceed to pass the following order:-

ORDER

- 1) The application is allowed.
- 2) The Petition No. B-30/2022 pending on the file of learned Principal Judge, Family Court, Nagpur is hereby withdrawn and transferred to learned Civil Judge, Senior Division, Chandrapur.
- 3) Learned Principal Judge, Family Court, Nagpur is hereby requested to facilitate the transfer.

- 4) The parties to appear before learned Civil Judge, Senior Division, Chandrapur on 03/07/2023.
- 5) No order as to costs.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar