

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

CRIMINAL REVISION APPLICATION NO.136 OF 2022 (APPLN.)

Monika w/o Ritesh Pidiyar

.Vs.

Nirmala w/o Bhikamchand Pidiyar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr S.B. Gandhe, Advocate for the applicant.

Mr. Mayur Salunke, Advocate for the non-applicant.

CORAM: G.A. SANAP, J.

DATE : 21/04/2023

Heard Mr. S.B. Gandhe, learned Advocate for the applicant and Mr. Mayur Solunke, learned Advocate for the non-applicant. Perused the record and proceedings.

2. The parties have filed the D.V. Act proceedings against each other. The proceedings filed by the non-applicant against the applicant is pending in the Court of Judicial Magistrate First Class, Pune. Proceedings filed by the present applicant against the non-applicant and husband of the applicant is pending in the Court of Judicial Magistrate First Class, Amravati.

3. This is an application for transfer of the D.V. Act proceedings from the Court of Judicial Magistrate, First Class, Pune, to the Court of Judicial Magistrate First Class, Amravati, where the D.V. Act proceedings filed by the applicant is pending.

4. Learned Advocates in all fairness submit that the transfer of cases, may not be warranted if the parties are granted the liberty to attend the proceedings via Video Conferencing.

5. It is to be noted that considering the nature of this proceedings, the presence of parties is hardly necessary. Presence of parties is necessary for the purpose of recording evidence. For the purpose of recording evidence, the party concerned is required to attend the Court once or twice. Similarly, in the advent of the video conferencing facility, the evidence also can be recorded via video conferencing. The choice is of the parties.

6. In the fact situation, the parties to this application are granted liberty to make an application before the concerned Court for appearing via video

conferencing as and when required. They can lead their evidence via video conferencing. It is made clear that as and when the application is made by the parties before the concerned Court, the same shall be considered appropriately and the indulgence sought for by them be granted.

7. The application is disposed of in the above terms.

(G. A. SANAP, J.)

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