



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

**Civil Application [MCA] No.423 of 2023**

*Sau. Monika w/o Sanjay Bodduwar*

*vs.*

*Shri Sanjay Bapurao Bodduwar*

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

*Mr. V.B. Gawali, Advocate for the Applicant.*

*Mr. R.A. Bhoyar, Advocate (appointed) for the Non-Applicant.*

**CORAM : M.W. CHANDWANI, J.**

**DATE : 11<sup>th</sup> MARCH, 2024.**

Heard.

02] The learned Counsel for the applicant orally requests to correct the prayer clause of the application.

03] Permission, as prayed for, is granted. Corrections be carried out forthwith.

04] By invoking the jurisdiction of this Court under Section 24 of the Code of Civil Procedure, the applicant seeks transfer of Petition No. A-1455/2019 and Petition No.D-17/2020 pending on the file of the Family Court at Nagpur to the Family Court at Yavatmal.

05] The applicant filed proceedings under the Protection of Women from Domestic Violence Act, 2005 and under Section 498-A of Indian Penal Code against the non-applicant before the competent Court at Yavatmal. The applicant also filed petition under Section 6 of the Guardian and Wards Act, 1890 for custody of minor children before the Family Court at Nagpur. The non-applicant also filed petitioner under

Section 13(1)(ia) of the Hindu Marriage Act, 1955 for dissolution of marriage before the Family Court at Nagpur.

06] The learned Counsel appearing for the non-applicant has no objection for transferring both the proceedings pending before the Family Court at Nagpur to the Family Court at Yavatmal.

07] In the wake of no objection and to avoid multiplicity of proceedings and conflicting decisions, the application deserves to be allowed. Hence, the following order :

- I. The application is allowed.
- II. Petition bearing No.A-1455/2019 filed by the non-applicant for dissolution of marriage and Petition bearing No.D-17/2020 filed by the applicant for custody of minor children, pending on the file of the Family Court at Nagpur, are hereby directed to be transferred to the Family Court at Yavatmal
- III. Both the parties are directed to appear before the Family Court at Yavatmal on 25<sup>th</sup> March, 2024.
- IV. The Secretary to the High Court Legal Services Sub-Committee, Nagpur to quantify and release the professional fees to the learned Counsel appointed for the non-applicant, as per rules.
- V. The application is disposed of accordingly. No costs.

**JUDGE**