



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

MISC. CIVIL APPLICATION (TR.) NO.142 OF 2024

Smt. Harsha Sachin Athwale

(Vs.)

Sachin Harichandra Athawale

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

Court's or Judge's orders.

Mr. Harmain Khan, Advocate h/f Mr. Mohammad Ateeque, Advocate for the applicant.

CORAM : G.A. SANAP, J.

DATE : 11.10.2024

Heard learned Advocate for the applicant.

Advocate for the non-applicant is absent.

2. This is an application for transfer of HMP No.14/2024 pending on the file of Civil Judge, Senior Division, Bhusawal to the Court of Civil Judge, Senior Division, Nagpur.

3. It is stated that the wife has filed the proceeding under the provisions of the Protection of Women from Domestic Violence Act, 2005 in the Court at Civil Judge Senior Division and Additional

Chief Judicial Magistrate at Nagpur. She has filed two proceedings before the Family Court at Nagpur viz. application for maintenance and petition for restitution of conjugal rights. She has been residing at Nagpur with her parents. She has no source of income. She has six years old daughter. The non-applicant has not paid maintenance to her despite the order passed by the Court. The distance between Bhusawal and Nagpur is 431 km. The non-applicant is attending proceedings filed by the applicant at Nagpur. It is submitted that the applicant is finding it very difficult to attend the proceeding filed by the husband for divorce in the Court of Civil Judge Senior Division at Bhusawal. It is submitted that therefore, it is necessary to transfer the divorce petition from Bhusawal to Family Court at Nagpur.

4. On going through the record, it is seen that there is substance in the application. The grounds pleaded in the application have been supported by the relevant materials. The filing of

three proceedings by the applicant in the Courts at Nagpur is not in dispute. In my opinion, for the purpose of convenience of both the parties, it would be just and proper to grant the application for transfer. Accordingly, the application deserves to be allowed. Hence, the following order:-

ORDER

- i) The application is allowed.
- ii) Hindu Marriage Petition No.14/2024 pending on the file of Civil Judge, Senior Division, Bhusawal be transferred to Civil Judge Senior Division, Nagpur.
- iii) The application stands disposed of in the aforesaid terms. No order as to costs.

JUDGE