



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

MISC. CIVIL APPLICATION (TR.) NO.432 OF 2024

Smt. Chandni Devanand Joshi

(Vs.)

Shri Devanand Jugalkishor Joshi

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

Court's or Judge's orders.

Mr. B.D. Vora, Advocate for the applicant.

CORAM : G.A. SANAP, J.

DATE : 06.12.2024

Leave to correct the designation of the
Court at prayer clause (a. and b.) is allowed.

2. Correction be carried out forthwith.

3. This is an application for transfer of
Marriage Petition No.13/2024 pending before
Civil Judge Senior Division Hinganghat to Family
Court, Yavatmal and transfer Appeal No.M.J.
20/2024 pending before District Judge 2 and
Additional Sessions Judge, Hinganghat to
Additional District Court, Yavatmal.

4. Heard learned Advocate for the applicant and perused the record and proceedings.

5. The application/petition filed by the wife for maintenance is pending before the Family Court at Yavatmal. The divorce petition filed by the husband is pending before learned Civil Judge, Senior Division, Hinganghat. Similarly, the appeal filed by the wife against ex-parte decree of restitution of conjugal rights is pending in the Court of Additional Sessions Judge, Hinganghat.

6. It is submitted that the wife is residing along with her child at Yavatmal with her parents. She has no source of income. Her daughter is six years old. The distance between Highanghat and Yavatmal is 98 km. There is no direct transport facility. The wife has to leave her daughter at Yavatmal with her parents and attend the proceeding. The husband is a contractor. He is avoiding to pay the maintenance. It is submitted that the husband is attending the 125 of the Cr.P.C. proceeding at Yavatmal.

7. I have given thoughtful consideration to the submissions. In my view, considering the facts and circumstances, this application deserves to be allowed.

ORDER

- i) Marriage Petition No.13/2024 pending on the file of Civil Judge, Senior Division, Hinganghat be transferred to Family Court, Yavatmal.
- ii) Appeal No.M.J.20/2024 pending before District Judge 2 and Additional Sessions Judge Hinganghat be transferred to Additional District Court, Yavatmal.
- iii) The application stands disposed of. No order as to costs.

JUDGE