



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

MISC. CIVIL APPLICATION (TR.) NO.733 OF 2024

Sau. Poonam w/o Ashwin Mokashi

(Vs.)

Ashwin s/o Ajay Mokashi

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

Court's or Judge's orders.

Mr. M.V. Joshi, Advocate for the applicant.

CORAM : G.A. SANAP, J.

DATE : 29.11.2024

Heard learned Advocate for the applicant.

Perused the record and proceedings.

2. This is an application for transfer of
Petition No.A-242 of 2023 pending on the file of
Family Court No.5 at Pune to the Family Court at
Nagpur.

3. The respondent is served. He has not
appeared in the proceeding.

4. It is submitted that the respondent is

residing at Nagpur. The respondent is doing business at Nagpur. The applicant is doing service at Pune but she is allowed to work from home. She is residing at Nagpur alongwith her parents. It is stated that the applicant has filed proceeding for restitution of conjugal rights in the Family Court at Nagpur.

5. The respondent-husband has filed the petition for divorce in the Family Court at Pune. It is submitted that not only for the convenience of the wife but for the convenience of the husband, transfer of proceeding from Pune to Nagpur is necessary.

6. I have gone through the record and proceeding. The statement in the application has gone unchallenged and uncontroverted.

7. In view of the facts stated, I do not see any reason to discard and disbelieve the statement. In view of the peculiar facts, transfer of the

proceeding from Family Court at Pune to the Family Court at Nagpur would ensure the convenience of both the parties. Hence, the following order:-

ORDER

- i) The application is allowed.
- ii) Petition No.A-242 of 2023 pending on the file of Family Court No.5 at Pune be transferred to Family Court at Nagpur.
- iii) It is made clear that on transfer of the petition from Family Court No.5 at Pune to Family Court at Nagpur, Principal Judge of the Family Court shall assign the same to the Court, where the petition filed by the wife for restitution of conjugal rights is pending.
- iv) The application stands disposed of in the aforesaid terms. No order as to costs.

JUDGE