



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

MISC. CIVIL APPLICATION NO. 949 OF 2024

SMT. SNEHA W/o VILAS RAKHUNDE

VERSUS

VILAS S/o KAMALAKAR RAKHUNDE

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. R. S. Khobragade, Advocate for the applicant.

CORAM : G. A. SANAP, J.

DATE : DECEMBER 20, 2024.

1. Heard Mr. R. S. Khobragade, learned advocate for the applicant. Learned advocate for the non-applicant is absent.
2. This is an application for transfer of Marriage Petition No. 223/2024 pending in the Court of 17th Joint Civil Judge, Senior Division, Nagpur to the Court of Civil Judge, Senior Division, Hinganghat.
3. It is stated that on account of matrimonial dispute, the husband and wife are separated. The applicant has been constrained to stay at Hinganghat with her two daughters. The applicant has recently filed an application for maintenance in the Court of learned Magistrate at Hinganghat, but it is yet to be registered. It is submitted that the husband is residing at Butibori. The distance between Hinganghat and Butibori is 45 kilometers, whereas the distance between Nagpur and Butibori is 30 kilometers. The husband has filed a petition for restitution of conjugal rights in the Court of Civil Judge, Senior Division, Nagpur.

It is submitted that the wife is finding it difficult to attend the Court at Nagpur on account of her financial position. She is required to look after her two daughters. It is submitted that the non-applicant being resident of Butibori, can travel to Hinganghat.

4. I have gone through the record and proceedings. Since, the wife has filed an application for maintenance in the Court of Hinganghat, the husband would be required to attend that proceeding. The husband is admittedly residing at Butibori. It would be convenient for the husband to attend the Court at Hinganghat. It would be inconvenient for the wife to attend the Court at Nagpur in view of the reasons stated in the application.

5. In view of the above, the application is allowed.

6. Transfer of Marriage Petition No. 223/2024 pending in the Court of 17th Joint Civil Judge, Senior Division, Nagpur to the Court of Civil Judge, Senior Division, Hinganghat, is allowed.

7. The Principal District and Sessions Judge, Nagpur shall withdraw the Petition No. 223/2024 from the file of 17th Joint Civil Judge, Senior Division, Nagpur and transfer it to the Principal District and Sessions Judge, Wardha.

8. The Principal District and Sessions Judge, Wardha shall, in turn, assign the said petition to the Court of Civil Judge, Senior Division, Hinganghat for deciding the same in accordance with law.

9. The application stands disposed of in the aforesaid terms. No costs.

(G. A. SANAP,J.)

Diwale