

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

MISC. CIVIL APPLICATION (TR.) NO. 22/2025

Sneha Sagar Lakhpati

Vs.

Sagar Gajanan Lakhpati

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

Court's or Judge's orders

Shri S.Y. Rawate, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 21.03.2025

Heard learned Counsel for applicant. In spite of service and in spite of granting opportunity, sole respondent is absent.

2. The applicant by way of this application, seeks transfer of Marriage Petition No.286/2024 filed by non-applicant pending before the Court of Civil Judge Senior Division, Achalpur to the Court of Civil Judge Senior Division, Pune.

3. It is contended that marriage between applicant and non-applicant solemnized on 16.12.2022. There is one child of 11 months namely 'Shivansh' out of the said wedlock. For the reasons mentioned in the application, she alleged mental as well as physical cruelty. She was on maternity leave from 30.01.2024 for six months. However, due to harassment, she was constrained to leave her matrimonial house and come back to her parental house.

4. It is contended that non-applicant is also resident of Pune and, therefore, there would not be

any inconvenience to the applicant if matter filed at Achalpur, they transferred to Civil Judge Senior Division, Pune.

5. There is already petition filed by the applicant for restitution of conjugal rights bearing Marriage Petition No.1302/2024 dated 09.08.2024, which is filed in earlier point of time. Considering the facts, I am of the considered opinion that there would be inconvenience going to cause to applicant to attend the matter at Achalpur with a one year old child from Pune. In spite of service, non-applicant has not filed any reply or made any submission with regard to the contention that he is residing at Pune. As such, application needs to be allowed. As such, I proceed to pass the following order:

ORDER

- i) The application is allowed.
- ii) The Marriage Petition No.286/2024 filed by the non-applicant against the applicant pending on the file in the Court of Civil Judge Senior Division, Achalpur is hereby withdrawn and transferred to the Court of Civil Judge Senior Division, Pune.
- iii) The learned Principal District Judge, Amravati is hereby directed to facilitate the transfer.

6. The application is disposed of accordingly.

JUDGE