



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

MISC. CIVIL APPLICATION NO. 47 OF 2025

Jyoti W/o Abhijeetsingh Bais (Jyoti Khushalsingh Jakhnavat)

..VS..

Abhijeetsingh S/o Ashoksingh Bais

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

Court's or Judge's orders

Mr. Rohan P. Kothari, Advocate h/f. mr. Rajnish Vyas, Advocate for
applicant.

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

DATED : 18th MARCH, 2025

1. An endorsement dated 15.03.2025 of the Office shows that respondent is served by regular mode. In spite of service non appears on behalf of the respondent.

2. The present application is filed for transfer of Marriage Petition No.432/2024, pending before the learned 7th Joint Civil Judge, Senior Division, Amravati filed by non-applicant under Section 13(1) (i-a) (i-b) of the Hindu Marriage Act, 1955. It is contention of the applicant that distance between village Mowad, Tahsil Narkhed, District Nagpur to Amravati is more than 120 km. Her parents are old along with whom she is residing. She has one small daughter of two years. As such, it is inconvenient to attend the dates at Amravati Court. It is further contended that she is having financial crises and she has no source of income. It is also further submitted that there is a case under Section 125 of the

Criminal Procedure Code bearing Criminal Misc. Application No.78/2024, pending before the Judicial Magistrate, First Class, Narkhed, District Nagpur. However, she has no problem to attend the proceeding at Nagpur if the proceeding will be transferred at the Court of Nagpur from the Court of Amravati, as there is no Civil Judge, Senior Division at Narkhed.

3. Considering the reasons mentioned in the application, I am satisfied that application is liable to be allowed. Accordingly I passed the following order :

- (i) The Misc. Civil Application is **allowed**.
- (ii) Marriage Petition No.432/2024 pending before the learned 7th Joint civil Judge, Senior Division, Amravati filed by non-applicant under Section 13(1) (i-a) (i-b) of the Hindu Marriage Act, 1955 is hereby withdrawn and transferred to the Civil Judge, Senior Division, Nagpur.
- (iii) The learned Principal District Judge, Amravati to facilitate the transfer proceeding.

The Misc. Civil Application stands disposed of.

(SMT. M.S. JAWALKAR, J.)