

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

**MISC. CIVIL APPLICATION (TR.) NO.87/2025**

Sau Pragati w/o Parag Choudhari

Vs.

Shri Parag Rameshrao Choudhari

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

Court's or Judge's orders

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Ms Sunita D. Paul, Advocate (appointed) for applicant

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

**DATED : 07.05.2025**

Heard learned Counsel for applicant. In spite of service, no appearance is there on behalf of respondent.

2. The present application is filed for transfer of A-Petition No.745/2024 pending before the Court of learned Family Court No.3, Nagpur, to the Court of Civil Judge, Senior Division, Wardha. It appears that, due to matrimonial dispute, it is alleged that respondent has without any reasonable cause has driven out applicant. She has no source of income. She has one baby boy borne on 20.05.2023. He is residing with applicant. Moreover, there are already proceedings under Domestic Violence Act, bearing MCA No.93/2024 is pending before the Chief Judicial Magistrate, Wardha. The respondent appeared in the said matter. She has also filed Restitution of Conjugal-Right proceeding under Section 9 of the Hindu Marriage Act vide Marriage Petition No.330/2024.

3. Considering this background, I am satisfied that there would be more inconvenience to the applicant if she required to attend the Family Court, Nagpur, along with small child of two years. It is settled position of law that convenience of wife has to be considered by granting application for transfer. As such, application is allowed. Accordingly, I proceed to pass the following order:

**ORDER**

- i) The application is allowed.
- ii) The A-Petition No.745/2024 pending before the Court of Family Court No.3, at Nagpur, is hereby withdrawn and transferred to the Court of Civil Judge, Senior Division, Wardha.
- iii) Learned Principle Judge, Family Court, Nagpur, is hereby requested to facilitate the transfer.

The Application is disposed of accordingly.

**JUDGE**

*R.S. Sahare*