



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

MISC. CIVIL APPLICATION (TR.) NO.450 OF 2023

Minakshi Jaywantrao Potey
Vs.
Jaywantrao s/o Bajrang Potey

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

Court's or Judge's orders

Mr. Sibghatullah Jagirdar, Counsel for the applicant.
Mr. P. R. Agrawal, Counsel for the non-applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/02/2025

1. By this application, the applicant is seeking transfer of the matrimonial proceeding bearing Hindu Marriage Petition No.24/2018 pending before the Civil Judge Senior Division, Akot and M.J.C. No.3/2021 pending before the District Judge -1, Akot to the District Court, Amravati and Hindu Marriage Petition No.24/2018 to the Civil Judge Senior Division, Amravati.

2. The application is filed on the ground that the father of the applicant is old aged person. The brother of the applicant is also expired. The distance between the two places Udaipur to Akot is 225 Kms and she has to travel from village Udaipur to Akot via Warud, Warud to Morshi, Morshi to Paratwada and Partwada to Akot for which she has to spend six hours and there is nobody to escort her for attending

the proceedings. It is further contended that as non-applicant has not made any provision for her maintenance. It is difficult for her to incur the expenses towards the litigation.

3. The said application though objected by the non-applicant but on instructions, learned Counsel for the non-applicant has no objection for transferring the said case with a contention that if required the non-applicant be permitted to appear through video conferencing.

4. After hearing both sides and considering the distance between the two places is 225 Kms and she has to spend six hours to travel as well as she has to incur the expenses also. The application deserves to be allowed by considering the request of the non-applicant also. In view of that, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The Hindu Marriage Petition No.24/2018 is hereby withdrawn from the file of the Civil Judge Senior Division, Akot and transferred to the Civil Judge Senior Division, Amravati for disposal.

(iii) The M.J.C. No.3/2021 pending before the District Judge – 1 Akot is hereby withdrawn and transferred to the District Court, Amravati for disposal.

(iv) The parties to appear before the Civil Judge Senior Division, Amravati as well as District Court, Amravati on **12.03.2025**.

(v) The prayer of the non-applicant, if made before both the Courts seeking permission to appear through video conferencing, be considered by both the Courts.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)