



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

MISC. CIVIL APPLICATION NO. 311 OF 2025

Dr. Gopal s/o Ranilal Bhutada Vs. Dr. Jasmine w/o Gopal Bhutada

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Manoj K. Mishra, Advocate for applicant.
Mr. Shirish L. Kotwal, Advocate for non-applicant.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 14.07.2025.

The applicant, who is the husband of non-applicant has filed this application to transfer the matter, which is pending before the Principal Judge, Family Court, Nagpur to any other Court in Family Court at Nagpur. The non-applicant has filed divorce petition.

2. The applicant is contesting the petition before the Principal Judge, Family Court, Nagpur. Earlier the application to transfer the matter from said Court to other Court was filed before the Principal Judge, it was rejected.

3. The writ petition was filed by the applicant before this Court and while disposing of

this writ petition, this Court has given the opportunity to cross-examine the non-applicant and directed to dispose of the matter within a period of 6 months i.e. on or before 24.06.2024. However, again the applicant has filed the application for transfer of petition before same Court which was rejected, again the writ petition was filed challenging said order, which was dismissed. SLP was filed against said order, which was also dismissed. Thereafter, the applicant has appeared before the Family Court, the cross-examination was conducted before the Commissioner for three sittings. The advocate has cross-examined the non-applicant-wife. Thereafter, the learned counsel appearing for the applicant has withdrawn his power and the applicant has appeared in person and again requested for permission to cross-examine the non-applicant. For two sittings, the non-applicant has examined her. Thereafter, again he has moved the application to transfer the matter making allegations against the Principal Judge, Family Court, Nagpur, stating that he has to pay Rs. 6,000/- per sitting to the Commissioner and the direction was given by the Principal Judge to examine the witness for one hour only. Hence, he has filed the application before this Court to transfer

the matter before the another Court, as he will not get justice before said Court.

4. Learned counsel appearing for non-applicant has stated these are delaying tactics. Though, the matter was time bound, he has filed several applications before the Principal Judge, Family Court, Nagpur to transfer the matter and though the wife was cross-examined thrice by the Advocate and twice by the applicant in person has made allegations against the Principal Judge, Family Court, Nagpur.

5. Considering the approach of the applicant about the judiciary prayed to reject the application.

6. Heard both learned counsel for the respective parties.

7. Learned counsel for the applicant is present before the Court. He has made submission that as the applicant feels that he will not get justice before the said Court, therefore, has prayed to transfer the matter before any other Family Court in Nagpur. It appears from the record that already the transfer applications were rejected upto the Hon'ble Apex Court. Since last one year, he is prolonging the

matter by filing such applications before the Principal Judge, Family Court, Nagpur and this Court. Similar applications which were filed by the applicant are already rejected. The applicant was given opportunity to cross-examine the witness, it appears that, he is taking disadvantage of the liberal approach of the Court. The applicant is making allegations against the Judicial Officer which will be viewed seriously, if any more application is filed by the applicant before this Court or before Principal Judge, Family Court, Nagpur.

8. The direction is given to the non-applicant to appear and co-operate the Court to decide the matter, as the matter is for the evidence of the applicant within a period of 15 days, he has to file his evidence on affidavit and the Family Court has to decide the matter within the period of 3 months.

9. The Miscellaneous Civil Application stands disposed of.

(Mrs. Vrushali V. Joshi, J.)