



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

MCA No.586/2023
Sau. Sarika V Ashish

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

Court's or Judge's orders

Mr. Pragya Jeswal, Advocate h/f Mr. A.A. Dhawas, Advocate for applicant.

CORAM : R.M. Joshi, J.
DATE : 19-06-2025.

None for the respondent in spite of service of notice.

His absence indicates that he is not interested in opposing the application.

2. Heard learned Counsel for the applicant.

3. Applicant is wife, resident of Chandrapur; having responsibly of minor daughter. She claims that she has no independent source of income. There is allegation that the respondent has not been paying amount of maintenance to the applicant and her daughter. It is claimed that in such circumstances if the applicant is called upon to attend the proceedings of Hindu Marriage Petition No.2/2022 at Bhandara, prejudice will cause to her.

4. The contention of the applicant has gone unchallenged. Needless to say that the inconvenience of the wife

needs to be considered over the inconvenience, if any, caused to the husband. In the instant case, applicant has filed petition for restitution of conjugal rights so also proceedings under Section 8 of the Guardians and Wards Act, 1890 which are pending before the Court at Chandrapur. In such circumstances, the respondent would have to attend the said proceedings at Chandrapur. Thus, no prejudice will cause to the respondent, if the application is allowed. Hence, application stands allowed in terms of prayer clause-A.

5. In order to ensure that the respondent is not harassed by keeping these three proceedings on different dates, it shall be the duty of the applicant-wife to ensure that all these three proceedings are kept for hearing on the same date.

(R.M. Joshi, J.)