



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

MISC. CIVIL APPLICATION NO.390 OF 2025

Sau. Surabhi Salkar

..vs..

Dr. Saurabh Sharad Salkar

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

Court's or Judge's orders

Ms Ira P. Khisti, Advocate for the applicant.

CORAM: PRAVIN S. PATIL, J.

DATED : 26/09/2025.

Heard.

2. The office note shows that despite service of notice none appeared on behalf of the non-applicant.

3. Therefore, on the last date to grant one more opportunity to the non-applicant to contest the present application, the matter was adjourned. But, no one is appearing in the matter on behalf of non-applicant despite service of notice. Hence, the present application is taken up for final disposal.

4. By this application the applicant is seeking transfer of Special Marriage Petition no.13/2024 pending on the file of the District Judge, Achalpur to the Family Court, Amravati. It is the submission of the applicant that the non-applicant/husband has filed the proceeding for divorce at Achalpur. She further pointed out that present applicant also filed the divorce proceeding before the Family Court, Amravati.

5. As such, both the parties have filed identical petition seeking divorce before the different Courts.

6. Learned Counsel for the applicant pointed out

that she is having minor child of 18 months old, and therefore, it will not be convenient to her to attend the proceedings at Achalpur. So also, considering the fact that both have filed the petition for divorce, it will be better to decide the same by one Court.

7. In the present matter, the applicant has categorically stated the inconvenience and other factors for which she is seeking transfer of the proceedings.

8. All these claims are not controverted in the matter by the non-applicant.

Hence, I am of the opinion that the applicant has made out a case for interference in the matter. Accordingly, I proceed to pass the following order :

- (a) The Misc. Civil Application is allowed.
- (b) Special Marriage Petition No.13 of 2024 pending before the District Judge-1, Achalpur is hereby transferred to the Family Court at Amravati.
- (c) The District Judge-1, Achalapur is directed to transfer the R & P of Special Marriage Petition No.13 of 2024 to the Family Court, Amravati.
- (d) The Family Court, Amravati is directed to tag the Special Marriage Petition no.13 of 2024 with Petition No. A-95 of 2025 filed by the applicant/wife and decide the same accordingly on its own merits.

9. The Misc. Civil Application stands disposed of accordingly.

(PRAVIN S. PATIL, J.)