



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

**MISC. CIVIL APPLICATION (TR) No. 1061 OF 2024**

Mrs. Trupti W/O Sumit Awale Vs Shri. Sumit Ramesh Awale

---

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

---

Court's or Judge's Order

---

Mr. Anupam Ningade, counsel h/f Mr. K.N. Thakur, counsel for applicant.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 20/02/2025.**

1. By this application, the applicant/wife is seeking transfer of the matrimonial proceeding bearing Petition No. A-200/2023 before the Family Court No.2 Nagpur to the Family Court, Amravati.

2. Heard learned counsel for the applicant, who submitted that the non-applicant and applicant are the husband and wife; their marriage took place on 25/01/2015. Out of the said wedlock, they are blessed with a male child, and the child is now living with the applicant/wife. There is a rift in the relationship, and therefore, the applicant is constrained to leave the matrimonial house and stay at the mercy of her parents. The applicant is neglected and subjected for the domestic violence. Therefore, she filed proceedings under Section 125 of the Code of Criminal Procedure, 1973, as well as proceeding under the provisions of Protection of Women from Domestic Violence Act, 2005, which are pending in the Family Court, Amravati. The applicant has also filed an application under the Hindu Adoptions and Maintenance

Act, 1956, which is also pending before the Family Court, Amravati. Now, the non-applicant/husband has filed the petition for dissolution of marriage, which is pending before the Family Court No. 2, Nagpur. The distance between the two places is more than 150 km, and the applicant has to spend two and half hours on a one-way journey. Additionally, she has to look after her small child, as there is nobody to look after. Considering all these facts, the petition which is pending before the Family Court, Nagpur be transferred to Family Court, Amravati.

3. Despite the notice served on the non-applicant/husband, he fails to appear.

4. Heard learned counsel for the applicant. Perused the contention in the application as well as the submission and the relevant documents on record, which show that due to the matrimonial dispute between the parties, the applicant/wife is residing at her parents house at Amravati. Three proceedings are already pending at Amravati, wherein the non-applicant / husband has appeared and attended the proceedings. Now, the non-applicant/husband has preferred a petition for dissolution of marriage, which is pending in the Family Court No. 2, Nagpur. The distance between two places is more than 150 kilometers. The contention of learned counsel for the applicant is that the applicant is a lady, and she is having seven years old child, and nobody to look after the said child, and therefore, it is difficult and inconvenient for her to attend the proceedings at Nagpur. Considering all these

circumstances, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

- a] The Misc. Civil Application is **allowed**.
  - b] The matrimonial proceedings bearing Petition No. A-200/2023 pending before the Family Court No.2 Nagpur, is hereby withdrawn and transferred to the Family Court, Amravati for the disposal.
  - c] The parties to appear before the Family Court, Amravati on 11/03/2025.
5. The Misc. Civil Application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]