



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

MISC. CIVIL APPLICATION (TR) NO.913 of 2024

(Prerna w/o Rahul Somkuwar Vs. Rahul s/o Mahadeorao Somkuwar)

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

Court's or Judge's orders.

Ms. P. N. Lakhani, Advocate for Applicant.
Mrs. A. S. Kale, Advocate for Respondent.

CORAM: R. M. JOSHI, J.

DATE: 26th JUNE, 2025.

1. This application is for transfer of Marriage proceeding bearing No.A-85/2024 filed by the respondent – husband before the Family Court at Alibag, District Raigad to Family Court No.3, Nagpur.

2. It is the contention of the applicant that the applicant had filed petition bearing No.161/2024 before Family Court No.3, Nagpur against the respondent. It is the contention of the Counsel for the applicant that the applicant is a lady and that if she is called upon to appear in the Court which is a distance about more than 800 km., prejudice will cause to her.

3. Learned Counsel for the respondent – husband vehemently opposed the application by contending that the proceedings are filed before the Court of proper jurisdiction and hence it is not the case for transfer of the proceeding.

Without prejudice to the submission he contends that if this Court is inclined to pass order of transfer, the respondent be permitted to appear in the proceedings before the Family Court through video conferencing. Learned Counsel for the applicant on instructions records her consent from the same.

4. Undeniably proceeding has been filed by the applicant against the respondent which is pending before the Family Court at Nagpur. The respondent therefore, would have to cause his appearance in the said proceeding. As such no prejudice will cause to him the proceeding filed by him at Alibag, District Raigad is transferred to the Family Court No.3, Nagpur.

5. The respondent is permitted to cause appearance in these proceedings before the Family Court No.3, Nagpur through video conferencing unless there is a specific order passed by the Court for the personal appearance of the respondent.

6. The application is allowed in terms of prayer clause (i).

(R. M. JOSHI, J.)