



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

MISC. CIVIL APPLICATION (TR) NO. 1030 OF 2024

Sau. Surbhi W/O Sanket Agrawal (Surbhi D/O Gopal Agrawal)

Vs

Sanket Ajay Agrawal

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

Court's or Judge's Order

Mr. Pushkar Deshpande, counsel for the applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 15/01/2025.

1. By this application, the applicant/wife is seeking transfer of the matrimonial proceedings bearing Petition No. A/118/2024 pending on the file of Family Court, Buldhana to the Family Court, Akola.

2. It is contended by learned counsel of the applicant that the applicant is residing at Akola, and the distance between Akola to Buldhana is 100 km. She is having daughter of three years, as well as her father, who is also suffering from Parkinson's. If she has to attend the proceedings at Family Court, the small daughter will suffer, as well as there is nobody to look after the ailing father of the applicant, and no prejudice will be caused to the non-applicant.

3. After due service of the notice, the non-applicant remained absent.

4. Heard learned counsel for applicant. It is a well-settled principle of law that the exercise of power under Section 24 of the Code of Criminal Procedure, 1973, is that the ends of justice should demand the transfer of the proceeding, and if it is a matrimonial proceeding, the plea of the transfer of the wife and her convenience is to be looked into. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

- a] The Misc. Civil Application is **allowed**.
 - b] The Petition No. A/118/2024, pending in the file of the Family Court, Buldhana be transferred to Family Court, Akola for trial and disposal.
 - c] Both parties shall remain present before the Family Court, Akola on 07/02/2025.
5. The Misc. Civil Application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]