



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

MISC. CIVIL APPLICATION No.47 OF 2024

(Deveshree Anup Taile Vs. Anup Onkarra Taile)

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

Court's or Judge's orders.

Mr. A.D. Bhate, Advocate for applicant.
None for the respondent.

CORAM : **R.M. JOSHI, J.**
DATE : **12th JUNE, 2025.**

1. None present for the respondent.
2. Perused the application.
3. It is the contention of the applicant that she is lady with no source of income. She makes a grievance that she is a resident of Khamgaon, District Buldhana, whereas respondent-husband has filed Criminal Proceedings bearing H.M.P. No.A-1363/2023 before the Family Court at Nagpur and attending the said proceeding would lead to causing of great inconvenience to her. These amongst other contentions transfer of the proceeding is sought.
4. Learned counsel for the applicant submits that when the application was filed the applicant was carrying pregnancy and that she has recently delivered a child. It is his submission that apart from this fact, there is a domestic violence proceeding pending against the respondent at Khamgaon. It is his submission that no prejudice will cause to the respondent/non-applicant if the application is allowed.
5. Absence of respondent indicates he is not interested in opposing the application.

6. The contention of the applicant has gone unchallenged. Applicant has recently gave birth to the child. In such circumstances, calling upon her to attend the proceedings at place for a distance from her present abode, will cause serious prejudice not only to her but also to the infant. Applicant therefore has made out a case for transfer of Proceeding bearing H.M.P. No.A-1363/2023 from the Family Court, Nagpur to Civil Judge, Senior Division, Khamgaon. Thus, the application stands allowed in terms of prayer clause (a).

7. It shall be responsibility of applicant to ensure that both proceedings are kept for hearing on same day, to ensure that respondent is not harassed to cause appearance on different dates.

(R.M. JOSHI, J.)