



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

MISC. CIVIL APPLICATION No.237 OF 2024

(Ankita Shubham Adep Vs. Shubham Sanjay Adep)

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

Court's or Judge's orders.

Mr. Alok Daga, Advocate for applicant.

CORAM : **R.M. JOSHI, J.**

DATE : **12th JUNE, 2025.**

1. Leave to amend the prayer clause (1) is granted.
2. Amendment be carried out forthwith.
3. This application is filed for transfer of H.M.P. No.A-279/2023 filed by respondent-husband before the Family Court Ahmednagar to Family Court Akola amongst other contentions, it is the case of the applicant that she has no source of income and is dependent upon her old aged parents. It is further claimed the distance between Akola and Ahmednagar is about 365 Kms. and to travel this distance would cause grave inconvenience to her. She therefore seeks transfer of proceeding filed by respondent.
4. Learned counsel for the applicant submits that there is no one available to accompany the applicant to the Court at Ahmednagar. It is his submission that if the applicant is compelled to appear before the Court at Ahmednagar, serious prejudice will cause to her defence. He further states that a proceeding bearing H.M.P. No.A-245/2023 is pending filed by the applicant against the respondent-husband is pending before the Family Court Akola and as such no prejudice is likely caused to husband in case application is allowed.

5. The contention of the applicant has gone unchallenged. This Court find substance in the contention of the counsel for the applicant that if the applicant is called upon to appear before the Court at Ahmednagar, prejudice is likely to cause to her defence. In any case no prejudice will cause to the respondent-husband, if the application is allowed, as other proceedings filed by the applicant against the respondent is pending before the Family Court Akola.

6. Hence, application stands allowed in terms of prayer clause (1).

7. It shall be the responsibility of the applicant to ensure that both proceedings before the Family Court are taken up on the same day of hearing.

(R.M. JOSHI, J.)