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

MISC. CIVIL APPLICATION NO. 573/2024

Manjusha Anup Manwar

...VERSUS...

Anup Deepak Manwar

Office Notes, Office Memoranda of Coram, Court's or Judge's orders
appearances, Court's orders or directions
and Registrar's orders
Shri K.V. Kothale, Advocate for the Applicant Thru V.C.

CORAM:- M.S. JAWALKAR, J.
APRIL 08, 2025

. In spite of service, the Non-Applicant has chosen to remain absent.
Heard learned Counsel for the Applicant.

(2) The present Application is filed by the Applicant for transfer of Proceedings bearing Petition No. A/193/2024 (Anup Deepak Manwar vs. Manjusha Anup Manwar) pending on the file of learned Judge, Family Court No. 3, Nagpur to the file of learned Judge, Family Court at Amravati.

(3) The Applicant is the legally wedded wife of the Non-Applicant. It appears that there are matrimonial disputes going on between the Applicant and the Non-Applicant since long. The Applicant is residing at her parents house at Amravati. It is submitted that due to the cruelty

meted out to the Applicant, she has filed Complaint/FIR to the Police Station Gadgenagar, Amravati against the Non-Applicant for the offences punishable under Sections 498-A, 323, 504, 506 & 34 of the Indian Penal Code, 1860. She has also filed Proceedings under the Protection of Women From Domestic Violence Act, 2005 bearing P.W.D.A. No. 337/2023 which is pending on the file of learned 12th Judicial Magistrate First Class, Amravati.

(4) It is contended that the Proceedings under Section 9 of the Hindu Marriage Act, 1955 filed by the Non-Applicant at Nagpur is subsequent to the proceedings under the DV Act filed by the Applicant. It is also informed that the Non-Applicant is appearing and contesting the said D.V. Proceedings at Amravati Court.

(5) Therefore, I am of the considered opinion that it would be appropriate to withdraw the Petition filed by the Non-Applicant and transfer the same to the learned Judge, Family Court, Amravati. Even otherwise, it is the settled law that while considering the Application for transfer of the Proceedings, convenience of wife is required to be taken into consideration.

(6) Accordingly, I pass the following order:-

(a) The Application is **allowed**.

(b) The Proceedings bearing Petition No. A/193/2024 (Anup Deepak Manwar vs. Manjusha Anup Manwar) pending on the file of learned Judge, Family Court No. 3, Nagpur is hereby withdrawn and transferred to the file of learned Judge, Family Court at Amravati.

(c) Learned Principal Judge, Family Court, Nagpur is requested to facilitate the transfer.

The Application stands **disposed of**.

(M.S. JAWALKAR, J.)