



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

MISC. CIVIL APPLICATION (Tr.) NO. 856 OF 2024

Anjali Madhuram Thanvi -Vs- Madhuram Anil Thanvi

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Sahil Dewani counsel for the applicant.
Mr.K.M.Pande, counsel for non-applicant.

CORAM : MRS. VRUSHALI V. JOSHI, J.
DATE : 23rd JANUARY, 2025.

1. The applicant has filed this application to transfer the Petition bearing No.A 268 of 2024 (Madhuram Anil Thanvi Vs. Anjali Madhuram Thanvi) filed by the non-applicant for Restitution of Conjugal Rights before Family Court at Akola to the Family Court at Nagpur.

2. The learned counsel appearing for the applicant has stated that the marriage took place between the applicant and the non applicant on 28.11.2022. They have one daughter out of said wedlock. The applicant is staying at her parents house along with her eleven months daughter at Nagpur. The non-applicant is staying at Akola. The applicant has filed divorce petition and Domestic Violence proceedings at the Family Court, Nagpur.

3. As the applicant is having small child and not doing any job, it is not possible for her to attend the proceedings before Akola Family Court. Hence, prayed to transfer the Petition bearing No.A/268 of 2024 (Madhuram Anil Thanvi Vs. Anjali Madhuram Thanvi) pending on the file of Family Court at Akola to the Family

Court at Nagpur.

4. The learned counsel appearing for the non-applicant opposed the application stating that the applicant can attend the proceedings before the Akola Family Court. He has opposed the application by stating that they tried to settle the matter before the Mediator and some defamatory statements are made on social media and therefore, it is not possible to settle the matter and therefore the applicant is not ready to come before the Court at Akola and has opposed to transfer the Petition bearing No.A 268 of 2024 (Madhuras Anil Thanvi Vs. Anjali Madhuras Thanvi) before Family Court at Akola to the Family Court at Nagpur.

5. The applicant is staying at Nagpur along with her daughter who is 11 months old. It is not possible for her to attend the Court at Akola on each and every date by taking the small child with her. She is not doing anything and also not getting any maintenance from the non-applicant.

6. Considering the circumstances, the pending Petition bearing No.A 268 of 2024 (Madhuras Anil Thanvi Vs. Anjali Madhuras Thanvi) at Akola is hereby transferred to the Family Court at Nagpur, where the divorce petition is pending.

7. The record be sent expeditiously.

8. Miscellaneous Civil Application is disposed of.

JUDGE