



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

MISCELLANEOUS CIVIL APPLICATION NO.48/2025
(Sau. Samiksha W/o Neeraj Joshi Vs. Shri Neeraj S/o Shrikant Joshi)

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

Court's or Judge's orders

Mr. C.G. Khond, Advocate for the applicant.
Mr. R.M. Tiwari, Advocate for the non-applicant.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 18.7.2025.

The applicant has filed this application to transfer the matter which is pending before the Family Court at Pune to Family Court at Nagpur. The non-applicant who is staying at Canada has filed the petition for nullity through power of attorney holder. The power of attorney holder is his father. The non-applicant is staying in Canada and he appeared through video conferencing in mediation proceedings but the mediation failed. The applicant has filed application under the provisions of Domestic Violence Act which are pending before the Nagpur Court.

2. The learned Advocate for the applicant has relied on the judgment passed by this Court in case of Dr. Sandeep Shekar Shetty V/s. Dr. Sarika Sandeep Shetty reported in **2021 SCC Online Bom 3441**. The applicant has stated that it is difficult for her to travel to Pune to attend the Court. Anyhow the non-applicant has to appear through video conferencing. The father of non-applicant can also appear through V.C. In domestic violence petition the appearance of the non-applicant is required and it can be considered on V.C. If the matters are conducted in one Court it will be convenient for both of them to contest the matters. Hence prayed to allow the application.

3. The learned Advocate for the non-applicant has stated that the non-applicant is ready to attend the Court at Pune whenever required. The father of the non-applicant is power of attorney holder and cannot travel from Pune to Nagpur to attend the Court at Nagpur. The non-applicant is ready to bear the travelling expenses of the applicant. Hence he has prayed to reject the application.

4. Heard both Advocates.

5. The non-applicant is staying at Canada. The service in the domestic violence proceedings and nullity proceedings is not effected as the power of attorney is not staying there. The non-applicant is ready to appear physically at Pune. If the non-applicant can appear at Pune Court, then he can also appear at Nagpur Court.

6. Considering the facts of the case, the proceedings pending before the Court at Pune is transferred to Court at Nagpur.

Both the proceedings i.e. domestic violence proceedings and the proceedings for nullity of marriage be clubbed together as per observations in order passed by this Court in Dr. Sandeep Shekar Shetty (supra).

7. The application stands disposed of.

(MRS. VRUSHALI V.JOSHI, J.)

Corrected as per order
dated 13.8.2025.