



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

MISC. CIVIL APPLICATION (TRANSFER) NO. 271 OF 2025

APPLICANT:

Sau. Pratima W/o Sangam Nishad,
 Aged about 26 years, Occu: Household,
 R/o C/o Shri. Kaushal Kashyap,
 at Patansavangi, Mine, Tahsil – Saoner,
 District Nagpur. 441 113.

...V E R S U S...

NON-APPLICANT

Shri Sangam s/o Lalman Nishad,
 Aged about 27 years, Occu: Private Work,
 R/o Hindustan Colony No.3, Near
 Hanuman Mandir, Lalpeth Chandrapur,
 District Chandrapur-442 401.

 Mr. Vandan Gadkari, counsel for applicant.

None for the non-applicant.

CORAM

: PRAVIN S. PATIL, J.

DATE

: 14/01/2026

ORAL JUDGMENT :

1. Heard. **Rule.** Rule made returnable forthwith. By consent of learned counsel appearing for the applicant, the application is taken up for final hearing at the stage of admission.

2. By this application, the applicant is seeking transfer of proceedings from 3rd Joint Civil Judge, Senior Division, Chandrapur to the Court of Civil Judge, Senior Division, Saoner.

3. After the filing of this application, this Court, by order dated 25/04/2025, issued notice to the non-applicant. The record shows that notice is duly served on the non-applicant. However, he choose not to appear in the matter. Hence, it is clear that non-applicant is not interested in prosecuting the present application.

4. The applicant, by way of present application, states that she is having the custody of two and half years child and the distance between Chandrapur to Saoner is near about 200 k.m. Therefore, it is difficult for her to travel such a distance along with child. It is further pointed out that applicant/wife has already filed one of the proceedings for maintenance at Saoner. The present non-applicant is not regularly paying the maintenance amount as a result, she is facing serious financial crisis for her survival. In that view of the matter, it will be difficult for her to bear the travelling expenses from Chandrapur to Saoner.

5. It is further contended that the non-applicant, who is already attending one of the proceedings at Saoner, can very well attend the proceedings if same are transferred from Chandrapur to Saoner. All averments made by the applicant are supported on affidavit and the same are not controverted by the non-applicant in the matter. Therefore, there is no reason to disbelieve the contents raised in the application.

6. In view of the above, the applicant has made out a case for transfer of the proceedings from Chandrapur to Saoner.

Accordingly, in my view, the following order will subserve the interests of justice.

ORDER

- a] The application is **allowed**.
- b] The proceedings bearing H.M.P. No. 560/2024 (*Shri Sangam s/o Lalman Nishad Versus Sau. Pratima w/o Sangam Nishad*), pending on the file of 3rd Joint Civil Judge Senior Division, Chandrapur, are hereby transferred to the Civil Judge, Senior Division, Saoner.
- c] The 3rd Joint Civil Judge, Senior Division, Chandrapur, is directed to transfer the record and proceedings of H.M.P. No. 560/2024 to the Civil Judge, Senior Division, Saoner.
- d] The non-applicant/husband, if so desires, can permitted to attend the proceedings through Video Conferencing, in case he is unable to attend proceedings physically before the Civil Judge, Senior Division, Saoner, on the dates fixed during the course of proceedings.

7. Rule is made absolute. No order as to costs.

(PRAVIN S. PATIL, J.)