



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

MISC. CIVIL APPLICATION NO. 217 OF 2025

(MRS. SWARUPA KAMAL MISHRA (Nee Name. Miss Rupa Ashok Ramteke)

VS

SHRI. KAMAL RAMPRASAD MISHRA)

WITH

CRIMINAL APPLICATION (APPLN) NO. 37 OF 2025

(MRS. SWARUPA KAMAL MISHRA (Nee Name. Miss Rupa Ashok Ramteke)

VS

SHRI. KAMAL RAMPRASAD MISHRA AND OTHERS)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. H. N. Bhongde, Advocate for applicant.

Ms. Dimple Anandani, Advocate for respondent.

CORAM : ROHIT W. JOSHI, J.

DATED : APRIL 10, 2026

MISC. CIVIL APPLICATION NO. 217 OF 2025

1) This is an application seeking transfer of Hindu Marriage Petition No.A-2300/2023 from the file of the learned Family Court at Bandra to learned Family Court at Nagpur. The applicant-wife is staying at Nagpur along with child of the parties who is around 11 years of age.

2) Having regard to the aforesaid, in the considered opinion of this Court, it will be inconvenient for the applicant-wife to contest the proceeding at Bandra.

3) In view of the aforesaid, Hindu Marriage Petition No.A-2300/2023 is ordered to be transferred from the file of the learned Family Court at Bandra to learned Family Court at Nagpur.

- 4) In the event the respondent-husband makes an application for appearance through video-conferencing, the same may be considered favourably and permission to appear through video-conferencing may be granted on such dates and at such stages as is deemed appropriate by the learned Family Court at Nagpur.
- 5) The MCA is disposed of accordingly.

CRIMINAL APPLICATION (APPLN) NO. 37 OF 2025

- 1) By the present application, the applicant-wife seeking transfer of Criminal Application No.4400061/24/DV/23 from the file of learned Metropolitan 44th Magistrate Court at Andheri, Mumbai to Special Court under Domestic Violence Act at Nagpur.
- 2) The respondents are related to the applicant as under :-
- 1. Respondent No.1 – Husband.*
 - 2. Respondent No.2 – Sister-in-law.*
 - 3. Respondent No.3 – Mother-in-law.*
 - 4. Respondent No.4 – Husband of Sister-in-law.*
 - 5. Respondent No.5 – Sister-in-law.*
- 3) It is stated that since the applicant is residing at Nagpur, the proceeding be transferred from Court at Andheri to Court at Nagpur, having regard to the legal principle that convenience of wife must be looked into while dealing with the application for transfer. However, apart from the respondent No.1-husband, the married sisters-in-law are arrayed as parties in the domestic violence proceeding. The mother-in-law is also arrayed as party, who is aged around 78 years. It is stated that she is suffering from paralysis. Just as convenience of the applicant-wife has required to be seen and convenience of the

aforesaid three respondents who are also ladies, is also required to be kept in mind, particularly, her mother-in-law who is 78 years of age is also to be considered. It is also not in dispute that the mother-in-law has also filed domestic violence proceeding against the applicant-wife, which is pending in the Court at Andheri. The applicant-wife has not sought the transfer of the said proceeding.

- 4) In view of the aforesaid, the transfer application is rejected.
- 5) In the event the applicant-wife makes an application for appearance through video-conferencing, the same may be considered favourably and permission to appear through video-conferencing may be granted on such dates and at such stages as is deemed appropriate by the learned Court at Andheri, Mumbai.

(ROHIT W. JOSHI, J.)