



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

MISC. CIVIL APPLICATION NO.138 OF 2026

Dr. Shri Hitendra S. Wamborikar **Vs.** Dr. Mrs. Mohana H. Wamborikar

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. J. K. Paunikar, Advocate for applicant.
Mr. A. R. Deshpande, Advocate for respondent.

CORAM : ROHIT W. JOSHI, J.

DATE : 07.04.2026.

1. The present application is filed by the applicant/husband seeking transfer of A Petition No.274 of 2025 from the file of learned Family Court, Akola to the file of learned Family Court, Nagpur.

2. The applicant/husband has also filed an application for amendment seeking transfer of Criminal Application No.EA/65 of 2026, which is filed by the respondent/wife seeking maintenance under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, from the Family Court, Akola to the Family Court, Nagpur.

3. The only reason mentioned by the applicant/husband is that he is a surgeon, who is busy with performing surgeries all throughout Vidarbha region and, therefore, it will not be feasible for him to travel down to Akola for attending the said proceedings. The respondent/wife is also a doctor, who is attached with a Multiplicity Hospital at Akola. The respondent/wife in

her reply has also expressed difficulty citing health reasons of her father.

4. The learned advocate for the applicant states that medical reasons with respect to the father of the respondent/wife may not be a good enough consideration for refusing the request of transfer.

5. Ignoring the medical reasons cited, in the considered opinion of this Court, when the Court at Akola also has the jurisdiction to entertain the dispute and the wife is admittedly residing at Akola, the proceeding cannot be ordered to be transferred from Akola to Nagpur merely because the husband is practicing as a medical practitioner at Nagpur. Application is, therefore, **rejected**.

6. In the event the applicant/husband makes an application for appearance through video-conferencing, the same may be considered favorably 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.

(ROHIT W. JOSHI, J.)

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