



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

MISC. CIVIL APPLICATION NO.179 OF 2026

Mrs. Priyanka Abhishek Surve @ Priyanka Dilip Jadhao .Vs. Abhishekh Shashikant Surve

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

Court's or Judge's Order

Mr. S.S. Ghate, Advocate for applicant.

Mr. D.C. Pathak, Advocate for non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 28/04/2026

1. This is an application filed by the wife seeking transfer of Marriage Petition No.A/11/2026, which is a petition for divorce filed by the respondent/husband, from the file of the learned Family Court at Bandra to the Family Court at Nagpur. Several contentions are raised by the applicant seeking transfer of the divorce petition, however, most importantly, the child of the parties, who is presently around nine months of age, is staying with the applicant/mother at Nagpur.

2. The respondent has opposed the application by filing an affidavit in reply, *inter alia* contending that the respondent has apprehension of threat to his life while attending the proceedings at Pune. He has made a reference to a discharge card dated 05.6.2024 to make good this contention. Apart from this, a contention is raised that the most of the witnesses are senior citizens aged around 70-75 years and it will be difficult for them for travel from Bombay to Nagpur to attend the proceedings. Lastly, it is contended that the wife may avail the facility of video

conferencing to attend the proceedings before the Bandra Court.

3. As regards the first contention, perusal of the discharge card indicates that father in law of the respondent i.e. applicant's father has sustained injuries for which he was under treatment in a hospital. The discharge card is dated 05.04.2024. There is nothing to record to show that the father in law of respondent was aggressor, rather he appears to be victim of an assault. As regards the contention that most of the respondents are senior citizens, perusal of the reply does not indicate names of any such witnesses. The third contention with respect to video conferencing is also liable to be rejected, since the husband can avail video conferencing facility at Family Court at Nagpur.

4. In view of the aforesaid, most importantly having regard to the fact that child of the parties, who is nine months of age, is staying with the applicant/wife, Marriage Petition No.A/11/2026 is ordered to be transferred from the file of the learned Family Court, Bandra to the learned Family Court at Nagpur.

5. In the event the non-applicant/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.

(ROHIT W. JOSHI, J.)