



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 10TH DAY OF NOVEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE C M JOSHI

CIVIL PETITION NO. 100176 OF 2025

BETWEEN:

SMT. ARCHANA
W/O. ARUN HAMPANNAVAR,
AGE: 32 YEARS, OCC. HOUSEWIFE,
R/O. C/O. BASAVARAJ SHIVAPPA BOLLESHWAR,
MANGALWARPETH, OPP. MENASINKAI ONI,
DHARWAD-580001.

...PETITIONER

(BY SRI. JOSHNA P. DHANAVE, ADVOCATE)

AND:

ARUN S/O. BASAVARAJ HAMPANNAVAR,
AGE: 36 YEARS, OCC. BUSINESS,
R/O. PADAKIPURAM, SAVADATTI,
TQ. SAVADATTI, DIST. BELAGAVI-590 012.

...RESPONDENT

(BY SMT. M.B. SOMAPUR, ADVOCATE FOR
SRI. B.V. SOMAPUR, ADVOCATE)

THIS CIVIL PETITION IS FILED UNDER SECTION 24 OF CPC,
PRAYING TO PASS AN ORDER TRANSFERRING THE M.C.NO 60/2024,
PENDING ON THE FILE OF SENIOR CIVIL JUDGE SAUNDATTI TO
FAMILY COURT DHARWAD AND ETC.

THIS PETITION, COMING ON FOR ADMISSION THIS DAY, ORDER
WAS MADE THEREIN AS UNDER:

YASHAVANT
NARAYANKAR


Digitally signed by
YASHAVANT
NARAYANKAR
Date: 2025.11.13
10:23:59 +0530



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE C M JOSHI)

Heard the learned counsel appearing for the petitioner and the respondent.

2. The petitioner, who is the wife of the respondent, is seeking transfer of M.C.No.60/2024 filed by the respondent before the Senior Civil Judge, Saundatti to the Family Court at Dharwad.

3. The petitioner alleges that she was married to the respondent on 01.05.2015 and they have a child born to them, which is now aged about 9 years. The child is residing with the respondent. The petitioner complained that there was a dispute between herself and the respondent and therefore, the respondent has filed M.C.No.60/2014 before the Senior Civil Judge, Saundatti seeking divorce. It is contended that the petitioner has also filed a maintenance petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 before the Family Court at Dharwad. Therefore, it is submitted that it would be convenient for the petitioner, who is a lady having no



support and residing in her parental house, to attend the Court at Dharwad.

4. Per contra, learned counsel for the respondent submits that the respondent is looking after the child and he is running a small shop at Saundatti. It is submitted that it would be more difficult for the respondent to leave the child and his business and come to Dharwad to attend the Court proceedings at Dharwad.

5. Evidently, the respondent has not taken any contention that the petitioner is working anywhere. However, it was contended that the father of the petitioner is having sufficient financial source and owns a car and he can accompany the petitioner to attend the court at Saundatti. It is pertinent to note that the petitioner has already filed a maintenance petition under Section 144 of the BNSS before the Family Court at Dharwad and the respondent has to appear before the Court at Dharwad for the purpose of hearing in the said maintenance petition. The respondent has not filed any petition seeking transfer of the Criminal Misc.No.113 of 2025 filed by the petitioner before the Family Court at Dharwad. Moreover, if both



the matters are heard and decided by one and the same Court i.e. Family Court at Dharwad, it would be advantageous for both the parties and the Court can also deal with the matter in more comprehensive manner. On the other hand, if the Family Court is left with only petition under Section 144 of BNSS, it may not get a comprehensive view of the family dispute between the parties. Therefore, the petition deserves to be allowed. Hence the following:

ORDER

- (i) The petition is allowed.*
- (ii) The M.C.No.60/2024 pending on the file of the Senior Civil Judge, Saundatti is withdrawn and transferred to the Family Court at Dharwad, where the Criminal Misc.No.113/2025 filed by the petitioner is pending, for disposal in accordance with law.*
- (iii) Intimate both the sides accordingly.*

**SD/-
(C M JOSHI)
JUDGE**