



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 2ND DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE C M JOSHI

CIVIL PETITION NO.100181 OF 2025

BETWEEN:

SMT. SUDHA W/O. NINGAPPA @ NINGARAJ HALLAD,
AGE: 28 YEARS, OCC. HOUSEWIFE,
R/AT. C/O. SUDAH S/O. SANGAPPA GADAGI,
HOSAHALLI, TQ. KUNDAGOL,
DIST. DHARWAD-581117.

...PETITIONER

(BY SRI. MOT GOURISHANKAR HARISHCHANDRA, ADVOCATE)

AND:

SRI. NINGAPPA @ NINGARAJ
S/O. RAMACHANDRA HALLAD,
AGE: 38 YEARS, OCC. AGRICULTURE,
R/AT. CHIKKA ULLIGERI VILLAGE,
TQ. SAVADATTI, DIST. BELAGAVI-591126.

...RESPONDENT

(BY SMT. SHAILA BELLIKATTI, ADVOCATE)

YASHAVANT
NARAYANKAR

Digitally Signed by
YASHAVANT
NARAYANKAR
Date: 2025.12.03
14:45:37 +0530

THIS CP IS FILED UNDER SECTION 24 OF CPC., PRAYING TO
TRANSFER THE M.C. 50/2025 AS PENDING BEFORE THE HON'BLE
COURT OF SENIOR CIVIL JUDGE AT SAUNDATTI TO THE HON'BLE
COURT OF SENIOR CIVIL JUDGE AND JMFC., AT KUNDAGOL AND
DIRECT TO DISPOSE OF THE CASE ON MERITS IN ACCORDANCE WITH
LAW, IN THE INTEREST OF JUSTICE AND EQUITY.

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



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 is the wife of the respondent and she has filed this petition seeking transfer of M.C.No.50/2025 pending before the learned Senior Civil Judge at Saundatti to the Court of the learned Senior Civil Judge at Kundgol. It is contended that the petitioner being the wife of the respondent has to travel to Saundatti from Kundgol along with her child aged 5 ½ years and therefore, it would be difficult for her to contest the case. It is contended that the said petition filed by the respondent is for divorce and therefore, the petition be allowed.

3. *Per contra*, learned counsel appearing for the respondent reiterates the contentions taken up by the respondent in objection statement. It is contended that the respondent has a threat to attend the case at Kundgol and there have been criminal complaints which are filed by the petitioner at



Saundatti Police Station. Therefore, it is contended that the petition is devoid of any merits.

4. After hearing the matter at some length, it was submitted before the Court that the petitioner also has filed a petition under Section 144 of the B.N.S.S. for maintenance at Kundgol.

5. Learned counsel for respondent submits that the respondent has not received any notice of such petition.

6. The learned counsel appearing for the petitioner and the respondent would submit that M.C.No.50/2025 may be heard by a Family Court so that in effective Mediation may also happen. Both the counsels agree that the matter may be transferred to the Family Court at Hubballi and that would help them in mediating the dispute between them.

7. Under these circumstances, this Court opines that the adjudication of the family dispute between the petitioner and the respondent would be best resolved by transferring the M.C.No.50/2025 to the learned Principal Judge, Family Court, Hubballi, where an effort for settlement by mediation may also take place. Hence, the following:



ORDER

- i) The petition is ***allowed in part.***
- ii) The M.C.No.50/2025 pending before the learned Senior Civil Judge, Saundatti is hereby withdrawn and transferred to the learned Principal Judge, Family Court, Hubballi for disposal in accordance with law.
- iii) Intimate the concerned Courts accordingly.
- iv) The transferor Court may fix the date of appearance of the parties before the transferee Court, as per convenience.

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