



2026:CGHC:24612

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HIGH COURT OF CHHATTISGARH AT BILASPUR

TPC No. 20 of 2026

1 - Sunita Agraval W/o Sanjay Agraval Aged About 30 Years D/o Loharu Rajwade, R/o Village- Bhattikala, Police Station- Manipur, Tehsil - Ambikapur, District- Surguja (Chhattisgarh)

... Applicant

versus

1 - Sanjay Agraval S/o Subhash Agraval Aged About 38 Years Caste- Agrawal, R/o Village- Latori (Near Fouji Dhaba), Police Chowki Latori, Police Station- Jainagar, Tehsil And District- Surajpur (Chhattisgarh)

... Respondent

(Cause title, as taken from Case Information System)

For Applicant	:	Mr. Syed Mohammad Sohail Afzal, Advocate.
For Respondent	:	None, though served.

(Hon’ble Shri Justice Naresh Kumar Chandravanshi)

Order On Board

18/06/2026

1. The applicant/wife has filed the instant petition under Section 24 of the Code of Civil Procedure, 1908 (for short ‘CPC’), seeking transfer of Civil Suit No.A/145/2024 (Sanjay Agraval vs. Sunita Agraval), pending before the learned Judge, Family Court, Surajpur, District Surajpur (CG), to the Family Court, Ambikapur, District Surguja (CG).

2. Learned counsel for the applicant/wife submits that the marriage of applicant/wife was solemnized with the respondent/husband on 21.12.2010 as per the Hindu rituals and customs. Out of the said wedlock, they have blessed with three children, two daughters and & one son, who are presently aged about 12, 10 & 7 years respectively. Thereafter, because of dispute erupted between the parties, the applicant / wife is presently residing with her parents at Ambikapur, whereas the children are residing with respondent/husband (father). He further submits that the respondent/husband has filed a divorce petition bearing Civil Suit No.A/145/2024 against applicant/wife, which is pending before the Family Court, Surajpur, District Surajpur. Hence, the present transfer petition has been filed.
3. Learned counsel for the applicant/wife further submits that on 25.06.2024, the respondent/husband was allegedly attacked by two persons and sustained injuries. On account of that incident, the respondent/husband lodged an FIR bearing Crime No.144/2024 at Police Chowki Latori against those two persons. During the course of investigation, the applicant/wife was also implicated in the aforesaid criminal case. It is contended that, suspecting the involvement of applicant/wife in the said incident, the respondent/husband filed divorce petition against her. He further submits that though the applicant/wife is presently residing at Ambikapur with her parents, the divorce petition is pending before the Family Court, Surajpur, District Surajpur.
4. Learned counsel for the applicant/wife next submits that although the distance between Ambikapur and Surajpur is only about 30-35 km, the

applicant/wife apprehends serious threat to her life from respondent/husband. Therefore, it would not be safe for her to attend hearing at Surajpur. Hence, learned counsel prays that the present transfer petition may be allowed and Civil Suit No.A/145/2024 filed by respondent/husband, pending before the learned Judge, Family Court, Surajpur, District Surajpur be transferred to the Family Court, Ambikapur, District Surguja (CG).

5. When specific question was posed to learned counsel for the applicant/wife, he informed the Court that all three children of the parties are minors and are presently residing with their father, i.e., respondent/husband, at Surajpur.
6. Despite service of notice, none has appeared on behalf of the respondent.
7. Heard learned counsel for the applicant and perused the material available on record.
8. It is not in dispute that distance between Ambikapur and Surajpur is only about 30-35 km. It is also undisputed that all three minor children are residing along with respondent/husband at Surajpur. The principal ground urged by the applicant/wife for seeking transfer is the alleged threat extended by the respondent/husband. However, no material, such as any document, FIR or other supporting document, has been filed by applicant/wife to substantiate the aforesaid allegation.
9. In the absence of any cogent material demonstrating a genuine apprehension to the safety of the applicant/wife, this Court finds no sufficient ground to transfer divorce petition from the Family Court, Surajpur, District Surajpur to the Family Court, Ambikapur, District

Surguja.

10. Accordingly, the present transfer petition, being devoid of merit, is **rejected**.
11. Pending application(s), if any, stands disposed of. No order as to costs.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

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