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HIGH COURT OF CHHATTISGARH AT BILASPUR

TPC No. 141 of 2026

Rakhi Dongre W/o Harendra Kumar Dongre, Aged About 31 Years At Present
R/o Samjay Nagar, Lakholi, Near Of Garden, Tahsil And Distt- Rajnandgaon
(C.G.)

... Petitioner

versus

Harendra Kumar Dongre S/o Bhoj Ram Dongre Aged About 39 Years R/o
Danteswari Para, Ward No. 02, Dongargarh, P.S. Dongargarh Tahsil
Dongargarh Distt- Rajnandgaon (C.G.)

... Respondent(s)

For Petitioner	: Mr. Ravi Kumar Bodhani, Advocate appearing through Video Conferencing alongwith Mr. Ankush Soni, Advocate
For Respondent	: Mr. Aniruddh Shrivastava, Advocate

Hon'ble Shri Justice Sachin Singh Rajput

Order On Board

07/10/2026

1. This petition under Section 24 of Civil Procedure Code, 1908 (for short 'CPC') has been filed by the petitioner/wife seeking for transfer of case bearing Number AHMA/27/2026 titled "Harndra Kumar Dongre Vs. Rakhi Dongre" filed by the respondent under Section 13 of the Hindu Marriage Act which is pending before the learned Additional District Judge Family Court, Dongargarh District Rajnandgaon (C.G.) to the

learned Family Court, Rajnandgaon(C.G.).

2. Learned counsel appearing for the petitioner/wife submits that the respondent, who is the husband of the petitioner, has instituted a petition under Section 13 of the Hindu Marriage Act, 1955, seeking a decree of divorce against the petitioner before the Court of the Additional District Judge, Dongargarh (C.G.).

3. It is further submitted that the petitioner is a woman and is presently residing at Rajnandgaon along with her 10-year-old son. The petitioner is suffering from a cyst in her stomach and is undergoing regular medical treatment for the same. Apart from the aforesaid proceedings, an application under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking maintenance, is also pending before the learned Principal Judge, Family Court, Rajnandgaon (C.G.). Learned counsel for the petitioner further submits that, in matrimonial proceedings, the convenience of the wife is one of the relevant considerations while deciding an application seeking transfer of the matrimonial case. In support of his submissions, learned counsel has placed reliance upon the judgments of the Hon'ble Supreme Court in *Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi*, reported in (2005) 12 SCC 237, and *NCV Aishwarya v. A.S. Saravana Karthik Sha*, reported in 2022 LiveLaw (SC) 627. It is, therefore, prayed that the matrimonial case pending before the learned Family Court, Dongargarh (C.G.), be transferred to the learned Principal Judge, Family Court, Rajnandgaon (C.G.), in the interest of justice and for the convenience of the petitioner.

4. Learned counsel appearing for the respondent/husband opposes the submissions advanced by learned counsel for the petitioner/wife and submits that no justifiable or cogent ground has been shown warranting transfer of the case. It is further submitted that the distance between Dongargarh and Rajnandgaon is hardly 35 K.M. and, therefore, there is no sufficient ground for allowing the transfer petition. Accordingly, learned counsel for the respondent/husband prays that the present petition may be dismissed.
5. Heard learned counsel for the parties and perused the records.
6. After perusal of the records, consideration of the submissions made hereinabove, and having regard to the fact that another application under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is pending before the learned Principal Judge, Family Court, Rajnandgaon, who is also suffering from medical ailments, and further keeping in view the law laid down by the Hon'ble Supreme Court in *Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi*, reported in (2005) 12 SCC 237, as well as in *NCV Aishwarya v. A.S. Saravana Karthik Sha*, reported in 2022 LiveLaw (SC) 627, this Court is of the considered view that the present petition deserves to be allowed.
7. Accordingly, this petition is allowed. It is directed that the case bearing Number AHMA/27/2026 titled "Harndra Kumar Dongre Vs. Rakhi Dongre" filed by the respondent under Section 13 of the Hindu Marriage Act which is pending before the learned Additional District Judge Family Court, Dongargarh District Rajnandgaon is transferred to Principal Judge, Family Court, Rajnandgaon (C.G.). Parties are now

directed to appear before the Family Court, Rajnandgaon on **08.12.2026**. In case respondent-husband fails to appear at Family Court, Rajnandgaon on that day, learned Judge presiding over the said Court may issue notice to him for a date to be fixed by it. It is also observed that learned Family Court, Rajnandgaon shall fix the same date on which, the other proceeding is fixed for hearing for convenience of the parties as far as possible.

8. Let the records of the said case be sent to Principal Judge, Family Court, Rajnandgaon from Additional District Judge, Family Court Dongargarh as early as possible.
9. All pending applications disposed of.

Sd/-

**(Sachin Singh Rajput)
Judge**

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