



CGHC010337532026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**TPC No. 161 of 2026**

- Smt Yogeshwari Sahu W/o Tribuvan Kumar Sahu, Aged About 26 Years R/o Village Bharakhurd Tahsil Gunderdehi Distt Baloda C.G. At Present Residing At. (Present Address) Gram Sundara Police Chowki Post / Tahsil /distt Nagar Rajnanadgaon C.G.

... Petitioner(s)**versus**

- Tribuvan Kumar Sahu S/o Nanku Ram Shau, Aged About 31 Years R/o Village Bharakhurd Tahsil Gunderdehi Distt Balod C.G.

... Respondent(s)

Digitally
signed by
VAISHALI
LUCKY
NAGARIA

For Petitioner(s)	: Mr. Vijay Shankar Mishra, Advocate
For Respondent(s)	: Mr. Manohar Dewangan, Advocate

Hon'ble Shri Justice Sachin Singh Rajput**Order on Board****13/10/2026**

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 Civil Suit No.A/43/2026 filed under Section 13(1)(i-A) of the Hindu Marriage Act, 1955 pending before the Family Court, District- Balod (C.G.) to the Family Court, District-Rajnandgaon (C.G.).
2. Learned counsel for the petitioner would submit that the respondent/husband has filed the above-stated application before

the Family Court, Balod, which is around 55 km from Rajnandgaon, where presently the petitioner/wife is residing with her two years old child. He further submits that an application for maintenance has also been filed in Family Court, Rajnandgaon in which the respondent/husband has entered appearance. He further submits that in matrimonial matter, the convenience of wife is to be considered by the Court, to buttress his submission, he place reliance upon the decisions of the Supreme Court in the matter of **Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi** reported in **(2005) 12 SCC 237** and in **NCV Aishwarya v. A.S. Saravana Karthik Sha** reported in **2022 LiveLaw (SC) 627**. Therefore, it is prayed that the case No.(Civil Suit No.A/43/2026) pending before the Family Court, Balod be transferred to Family Court, Rajnandgaon.

3. Mr. Manohar Dewangan, learned counsel for the respondent opposes the submission and submits that the petitioner has already deposited ₹2,000 for the traveling expenses of the respondent. He further submits that the respondent had appeared before the Family Court, Balod, on a couple of occasions. However, as soon as the matter was listed before the said Court for recording of evidence, the present transfer petition was filed. There is no bona fide reasons assigned for seeking transfer of this case.
4. I have heard learned counsel for the parties and perused the records.
5. After perusal of the records, considering the submission made and in view of the decision of the Supreme Court in the matter of **Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi** reported in **(2005) 12 SCC 237** and in **NCV Aishwarya vs. A.S. Saravana Karthik Sha** reported in **2022 LiveLaw (SC) 627**, and also taking into

consideration that the petitioner residing with her two year child, this Court is inclined to allow this application.

6. Accordingly, this petition is **allowed**. It is directed that the Civil Suit No.A/43/2026 (Tribhuvan Kumar Sahu Vs. Smt. Yogeshwari Sahu) pending in the Family Court, Balod, District – Balod (C.G.) is transferred to Family Court, Rajnandgaon (C.G.). Parties are now directed to appear before the Family Court, Rajnandgaon on **15.12.2026**. 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.
7. Let the records of the said case be sent to Family Court, Rajnandgaon from Family Court, Balod as early as possible.

Sd/-

(Sachin Singh Rajput)
Judge

Vaishali