



NC: 2026:KHC:53288
CP No. 236 of 2026

CNR: KAHC010491452026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CIVIL PETITION NO. 236 OF 2026

BETWEEN:

SMT.NITHYAPRIYA K.S.
D/O SATYANARAYANA,
W/O RAVI KUMAR V,
AGED ABOUT 29 YEARS,
R/AT KADUGONDANAHALLI,
NEAR MARIYAMMA TEMPLE,
NAGAWARA, BENGALURU-560 045.

...PETITIONER

(BY SRI Y.S.PRAVEEN KUMAR, ADVOCATE FOR
SRI NANJUNDA GOWDA MR., ADVOCATE)

AND:

SRI RAVI KUMAR V.,
S/O VENKATESHAPPA,
AGED ABOUT 36 YEARS,
R/AT BASAVANATHA VILLAGE,
KOLAR TALUK,
KOLAR - 563 101.

...RESPONDENT

(RESPONDENT - NOTICE SERVED & UNREPRESENTED)

THIS CIVIL PETITION IS FILED UNDER SEC.24 OF THE CIVIL
PROCEDURE CODE 1908, PRAYING TO TRANSFER MATTER IN MC
No.58/2026 FROM THE COURT OF THE PRINCIPAL JUDGE, FAMILY
COURT, KOLAR TO THE PRINCIPAL FAMILY COURT AT BENGALURU,
IN THE INTEREST OF JUSTICE AND EQUITY.

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Seeking for withdrawal of proceedings in MC no.58/2026 from Court of Principal Judge, Family Court, Kolar and to transfer it to Principal Judge, Family Court at Bengaluru, this petition is filed.

2. Sri YS Praveen Kumar, learned counsel appearing for Sri Nanjunda Gowda MR., learned counsel for petitioner submitted that marriage of petitioner and respondent was solemnized on 18.02.2018 at Kolar. Thereafter, they led marital life at Kolar during which a child was born. Due to subsequent martial discord, she was forced to reside with her parents at Bengaluru. It was submitted that she was without any source of income or maintenance. In meanwhile, respondent had filed MC no.58/2026 before Family Court at Kolar for divorce. Petitioner was finding it difficult to manage a school going daughter aged 8 years and prosecute proceedings at Kolar. Besides, it was submitted that she had filed MC no.5608/2026 before III Additional Family Court, Bengaluru under Section 9 of Hindu



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Marriage Act, 1955 for restitution of conjugal rights. It was submitted that petitioner would be required to attend said proceedings at Bengaluru and therefore, not only on ground of inconvenience to wife but also on ground of consolidation of litigation between husband and wife before one Court, above petition was required to be allowed.

3. Heard learned counsel and perused petition and material on record.

4. This petition by wife is seeking transfer of proceedings in matrimonial dispute. Hon'ble Supreme Court also has held in **NCV Aishwarya v. A.S. Saravana Karthik Sha** reported in **2022 SCC OnLine SC 1199**, **Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi** reported in **(2005) 12 SCC 237** and **Sumita Singh v. Kumar Sanjay & Anr.** reported in **(2001) 10 SCC 41**, convenience of wife would be of paramount importance. Apart from above, other considerations such as wife being without any source of income and without maintenance, need to attend to a child, distance required to be travelled etc. and pendency of other proceedings are indicated.



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5. In instant case petition is by wife. Though distance between Kolar and Bengaluru is only 70 kms., factors such as lack of source of income and maintenance as well as need to attend to child and pendency of petition for restitution of conjugal rights before Family Court at Bengaluru, would weigh in favour of petitioner.

6. For aforesaid reasons, petition is ***allowed.*** Proceedings in MC no.58/2026 on file of Court of Principal Judge, Family Court, Kolar stands withdrawn and transferred to Court of III Additional Judge, Family Court at Bengaluru to be tried along with MC no.5608/2026.

Sd/-
(RAVI V HOSMANI)
JUDGE

AV
List No.: 1 Sl No.: 19