

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Civil) No.7 of 2016**

Smt. Anju Agrawal aged about 29 years wife of Ritesh Agrawla D/o Shri Jai Kumar Agrawal R/o C/o Shri Jai Kumar Agrawal Jalebi Chowk Camp-1 P.S. Chhaoni Bhilai District Durg Chhattisgarh

---- Petitioner**Versus**

Ritesh Agrawal aged about 30 years Son of late Ram Kishore Agrawal R/o 33-B Maruti Enclave Tatibandh Raipur Tahsil and District Raipur Chhattisgarh

---- Respondent

For Petitioner	:	Shri Uttam Pandey, Advocate.
For Respondent	:	None.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****05/08/2016**

1. The Respondent has been duly served but even then he has not put his appearance. Therefore, it is obvious that he does not wish to oppose this transfer petition.
2. This transfer petition has been filed by the wife for transfer of HMA Case No.528 of 2015 pending in the Court of Principal Judge, Family Court, Raipur to the Court of Principal Judge, Family Court, Durg.
3. The wife has already filed three proceedings i.e. one for grant of maintenance under Section 125 Cr.P.C., one under Section 498-A IPC and the other for judicial separation before the Principal Judge, Family Court, Durg. The husband has also filed a petition under Section 9 of the Hindu Marriage Act before the Court of Principal Judge, Family Court, Raipur for restitution of conjugal rights.

4. Keeping in view of the above facts, it would be better in the interest of justice that matter under Section 125 Cr.P.C., the proceedings for judicial separation and restitution of conjugal rights be heard by the one Judge. Therefore, HMA Case No.528 of 2015 pending in the Court of Principal Judge, Family Court, Raipur is transferred to the Court of Principal Judge, Family Court, Durg.

5. The transfer petition stands disposed of.

**Sd/-
(Deepak Gupta)
Chief Justice**