

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Civil) No. 15 of 2016**

Vishal Jindal.

---- Petitioner

Versus

Smt. Pooja Jindal.

---- Respondent

Transfer Petition (Civil) No. 16 of 2016

Vishal Jindal.

---- Petitioner

Versus

Smt. Pooja Jindal.

---- Respondent

Transfer Petition (Criminal) No. 4 of 2016

Vishal Jindal.

---- Petitioner

Versus

Smt. Pooja Jindal.

---- Respondent

For Petitioner	: Shri P.R.Patankar, Advocate.
For Respondent	: Shri Sourabh Sharma, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****08/07/2016**

1. These three transfer petitions have been registered suo moto by this Court because of a communication received from the Presiding Judge of the Family Court, Raigarh that one of the parties to the family dispute had approached him and therefore he would not like to hear the matter.

2. On the last date, the following order was passed:

"In the meanwhile, call for the comments from the concerned presiding officer that which party is pressurizing him"

3. A communication has been received. However, I am not going into that communication because of the fact that in my opinion, this Court should not entertain this transfer petition at all. The undisputed facts are that the parties were married to each other. The husband instituted a petition for divorce at Family Court, Nagpur, Maharashtra. The wife approached the Apex Court for transfer of the case to Raigarh in Chhattisgarh. Her petition was allowed and the divorce proceedings were transferred to the Family Court, Raigarh vide order of the Apex Court dated 02.01.2014, passed in Transfer Petition (Civil) No. 616 of 2012. For more than seven months, the proceedings before the Family Court are stalled. The Presiding Officer does not want to hear the case since he was being pressurized by one of the parties.

4. Since the proceedings have been specifically transferred by the Apex Court to the Family Court, Raigarh, Chhattisgarh, I am clearly of the view that it would not be proper for this Court to pass any orders in this regard. This leaves us in an unfortunate situation where the Presiding Officer does not want to hear the matter and there is no other Family Court in Raigarh. Therefore, these suo moto proceedings are closed with liberty reserved to the parties to approach the Apex Court for modification of its earlier order.

5. Accordingly, these petitions stand disposed of.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE