

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Civil) No.38 of 2016**

Smt. Priyanka Gupta W/o Pravesh Gupta, Aged About 30 Years R/o C/o Pradeep Gupta At Present R/o Amit Medecal Stores, Gandhi Nagar / Palace Nehru Nagar, Balram Talkies, Near Ghatke Nursing Home, Bilaspur, Tahsil & District Bilaspur (Chhattisgarh)

---- **Petitioner****Versus**

Pravesh Gupta S/o Shri Anant Kumar Gupta, Aged About 33 Years R/o Ward No. 8, Turkaripara, Police Station Khairagarh, Tahsil Khairagarh, District Rajnandgaon (Chhattisgarh)

---- **Respondent**

For Petitioner	:	Shri C.K. Kesharwani, Advocate.
For Respondent	:	Shri Yogesh Chandra Sharma, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****12/08/2016**

1. This transfer petition has been filed by the wife for transfer of divorce case bearing Civil Suit No. 1-A of 2016 (Pravesh Gupta v. Smt. Priyanka Gupta) pending in the Court of Principal Judge, Family Court, Rajnandgaon, Circuit Court, Khairagarh to the Family Court, Bilaspur.
2. The wife has filed a petition under Section 125 Cr.P.C. which is pending in the Family Court, Bilaspur. She has also filed a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 which is pending in the Court of Judicial Magistrate First Class, Bilaspur. Shri Kesharwani states that one complaint under Section 498-A IPC has also been filed in the Court of the Magistrate.
3. I am not going into the merits of the allegations or even inconvenience of the parties. But I feel that the husband has to face three cases at Bilaspur,

it would be in the interest of justice to transfer the fourth case at Bilaspur. Therefore, the divorce case bearing Civil Suit No. 1-A of 2016 (Pravesh Gupta v. Smt. Priyanka Gupta) pending in the Court of Principal Judge, Family Court, Rajnandgaon, Circuit Court, Khairagarh be transferred to the Family Court, Bilaspur.

4. It is however ordered that the Family Court will ensure that the same date is given in the case under Section 125 Cr.P.C. and the divorce case. The Judicial Magistrate First Class shall also ensure that as far as possible the date which is convenient to the husband be given so that he does not have to come for more than one date and he can attend the all cases on one date.

5. The transfer petition stands disposed of.

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