

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Civil) No.59 of 2015**

Smt. Sunita Bhardwaj @ Rani W/o Dinesh Kumar Bhardwaj aged about 24 years
R/o Dindayal Colony Janjgir P.S. And Tahsil Janjgir District Janjgir Champa
Chhattisgarh

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

Dinesh Kumar Bhardwaj S/o Lok Ram Bhardwaj aged about 31 years R/o Near
Q.No. M-8 Manikpur Colony Korba P.S. Tahsil Korba District Korba Chhattisgarh

---- **Respondent**

For Petitioner	:	Shri Ravindra Sharma, Advocate.
For Respondent	:	Shri Sandeep Dubey, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****15/07/2016**

- Both the counsel agree that the cases pending between the parties may be transferred to one Court.
- The husband filed a petition for judicial separation before the Principal Judge, Family Court, Korba being Case No.165-A of 2015. The wife filed one petition under Section 9 of the Restitution of Conjugal Rights being Case No.143-A of 2015 before the Family Court, Janjgir-Champa. She also filed petition under Section 125 of the Cr.P.C. registered as Case No.295 of 2015 before the same Court.
- Now, the wife has filed this transfer petition for transfer of the petition filed by the husband at Korba to Janjgir-Champa. On behalf of the husband, it is contended that wife resides in village Darrabhata and it is stated that it is virtually equidistant from Janjgir-Champa and Korba.

4. On the other hand, learned counsel for the Petitioner submits that the husband is posted at Rajnandgaon and if he has to come from Rajnandgaon then Janjgir-Champa is nearer than Korba.

5. It may be true that the husband has filed the first petition but the wife has a small child. Therefore, her convenience should be taken care of. Even if the case filed by the husband is not transferred, he will have to attend two cases at Janjgir-Champa itself. Therefore, it is better that all cases are tried at one place.

6. In view of the above, Case No.165-A of 2015 filed by the husband before the Principal Judge, Family Court, Korba is transferred to the Family Court, Janjgir-Champa. Learned Family Court is directed to ensure that all the cases are fixed on one day, so that there is minimum inconvenience to the parties.

Sd/-
(Deepak Gupta)
Chief Justice