

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (C) No.69 of 2015**

Smt. Yogeshwari Sahu wife of Shri Ramesh Kumar aged about 30 years presently R/o Throgh Peman Lal Sahu Ring Road No.1 Pachpedi Naka Behind Prakash Palace Chhattisgarh Nagar Post Office Tikarapara Tahsil and District Raipur Chhattisgarh

---- Petitioner

Versus

Ramesh Kumar son of Shri Gopal Sahu aged about 35 years Occupation Software Engineer R/o Qtr.No.5/B Street No.7 Sector No.4, Bhilai Tahsil and District Durg Chhattisgarh

---- Respondent

For Petitioner : Shri Atanu Ghosh, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****24/06/2016**

1. Respondent has been served in the petition but does not appear through Counsel.
2. This petition has been filed by the wife praying that Civil Case No.306 of 2015 titled as "Ramesh Kumar Vs. Smt. Yogeshwari Sahu" pending in the Court of Principal Judge, Family Court, Durg be transferred to the Court of Principal Judge, Family Court, Raipur, Chhattisgarh.
3. The undisputable facts are that the parties were married to each other and when a dispute arose between the parties, the wife filed a petition under Section 125 of the Code of Criminal Procedure before the Family Court, Raipur and thereafter, the husband filed a petition for divorce in the Court of Principal Judge, Family Court, Durg.

4. Learned Counsel for the Petitioner submits that the husband is appearing at Raipur and he will not have to suffer any inconvenience if both the cases are heard at Raipur.

5. There is merit in this contention. Therefore, Civil Case No.316 of 2015 is ordered to be transferred to the Court of Principal Judge, Family Court, Raipur, Chhattisgarh.

6. The Family Court, Raipur is directed to list both the cases together so that the parties may appear on one date to attend the matter.

7. The transfer petition accordingly stands disposed of.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE