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HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (C) No.53 of 2016**

Smt. Rinki Ranjeeta W/o Dr. Prabhat Chandra Prabhakar, Aged About 36 Years D/o- Rajendra Mahto, R/o- Block No. D/507, Means Midows Apartment, Bhartiya Nagar, Vyapar Vihar, Bilaspur, Police Station, Civil Line, Bilaspur, Tahsil And District- Bilaspur, (Chhattisgarh)

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

Dr. Prabhat Chandra Prabhakar S/o Late Paleshwar Choudhary, Aged About 39 Years Occupation- Medical Officer Under Government Of Chhattisgarh, Address For Correspondence- Government District Hospital Kawardha, Police Station Kawardha, Tahsil And District- Kabirdham, (Chhattisgarh)

---- **Respondent**

For Petitioner	: Smt. Shubha Shrivastava, Advocate.
For Respondent	: Shri Devesh Chandra Verma, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****16/09/2016**

1. This transfer petition filed by the Petitioner-wife seeking transfer of case No. 17-A of 2016 filed by the Respondent-husband for grant of divorce in the Family Court, Kabirdham to the Family Court, Bilaspur.
2. The undisputed facts are that the parties were married in the year 2004 and there are two children born out from their wedlock. Both are residing with the mother at Bilaspur. The Petitioner-wife has filed a petition under Section 125 Cr.P.C. for grant of maintenance and she has also filed a petition under the Domestic Violence Act against the Respondent-husband. It is not disputed that the Respondent-husband is attending the Court at Bilaspur to contest two cases, therefore, it would be better that all the cases should be decided at Bilaspur.
3. In view of the above, in the interest of justice, Case No.17-A of 2016 pending in the Family Court, Kabirdham 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 both the cases i.e. under Section 125 Cr.P.C. and a petition filed for divorce. The Magistrate dealing with the case under the Domestic Violence Act shall also give the same date as is given by the Family Court, so that the husband would not suffer unnecessary burden.

5. The petition is disposed of in the aforesaid terms.

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

Anu