

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

TPC No. 5 of 2017

Smt. Anshu Gulati W/o Sri Ashish Gulati, Aged About 38 Years R/o 306 Taigore Nagar, Raipur Tahsil & District Raipur, Civil Revenue & District Raipur, Chhattisgarh(Non Applicant)

---- Petitioner

Versus

Ashish Gulati S/o Shri N.L.Gulati, Aged About 25 Years R/o 25 Sunder Nagar, Bhilai, District- Durg, Chhattisgarh(Applicant)

---- Respondent

For Petitioner	:	Shri Suresh Tandon, Advocate
For Respondent	:	Shri C.R. Sahu, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/02/2017

Heard.

1. This petition has been preferred for transfer of the Case No.97-A/15 and Civil MJC No.15/15 pending before the 1st Additional Principal Judge, Family Court, Durg, to Family Court, Raipur.
2. Learned counsel for the petitioner submits that the petitioner is presently residing at Raipur and she is under liability to maintain and look after two sons who are studying in VI and III standard. The petitioner is also posted and working as Teacher in school at Tilagaon and if she is required to frequently undertake journey from Raipur to Durg to attend case, she will suffer serious hardship and therefore, it would be in the interest of justice that the case is transferred to Raipur .
3. On the other hand, learned counsel for the respondent submits that earlier, the

petitioner had moved a petition for transfer of Civil Suit No.296 of 2015 pending before Family Court at Durg on similar grounds, which were examined and the petition was rejected.

4. After going through the order dated 14.9.2015 passed by this Court earlier in TPC No. 33 of 2015, I find that earlier prayer for transfer of Civil Suit No.296/15 pending at Durg for being transferred to Raipur was rejected by this Court, taking into consideration those very grounds which have been raised in this petition. Therefore, in view of the above, I am not inclined to grant relief as claimed by the petitioner.
5. The petition is therefore dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge