

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 74 of 2017**

Smt. Kavita Singh Aged About 37 Years W/o Vasant Kumar Singh
(Wrongly Mentioned As Bansat), Aged About 37 Years, R/o Through:
Ambikeshwar Singh, D.M.Q.-28, Hospital Colony, Vishrampur, District
(Revenue And Civil)- Surajpur, Chhattisgarh ---- **Petitioner**

Versus

Vasant Kumar Singh (Wrongly Mentioned As Bansat) S/o Birendra
Pratap Singh, Aged About 39 Years, R/o Quarter No.-04/ D, Road
No.-19, Sector-11, Jone-01, Bhilai, Tahsil & District (Revenue And
Civil)- Durg, Chhattisgarh ---- **Respondent**

And**REVP No. 87 of 2017**

Smt. Kavita Singh W/o Vasant Kumar Singh (Wrongly Mentioned As
Bansat), Aged About 37 Years, R/o Through: Ambikeshwar Singh,
D.M.Q.-28, Hospital Colony, Vishrampur, District (Revenue And Civil)-
Surajpur, Chhattisgarh ---- **Petitioner**

Versus

Vasant Kumar Singh (Wrongly Mentioned As Bansat) S/o Birendra
Pratap Singh, Aged About 39 Years, R/o Quarter No.-04/ D, Road
No.-19, Sector-11, Jone-01, Bhilai, Tahsil & District (Revenue And
Civil)- Durg, Chhattisgarh ..**Respondent**

Mr. S.D. Singh, Advocate for Smt. Kavita Singh

Mr. Sushil Dubey, Advocate for Shri Vasant Kumar Singh

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board**30/08/2017**

Heard.

1. An application for transfer of matrimonial dispute from the Family Court, Durg was filed by Smt. Kavita Singh stating that she is resident of Vishrampur. The case was registered as TPC No.71 of 2016. The aforesaid case was disposed off on 13.02.2017 with the direction for transferring Civil Suit No.437-A/2015 (Vasant Kumar Singh Vs. Smt. Kavita Singh) to Family

Court, Vishrampur.

3. Smt. Kavita Singh, however, filed an application for correction of the said order which was registered as MCC No.258 of 2017. In that case, statement was made before the Court that jurisdictional Family Court is situated at Surajpur. On this statement, an order was passed on 28.06.2017 in MCC No.258 of 2017 modifying earlier order in the manner that in place of Family Court "Vishrampur", the case was directed to be transferred from Durg to Family Court, surajpur.

4. The matter was further enquired from the office of the Registrar General and it has now been informed that in fact even at Surajput there is no Family Court but all the matrimonial disputes are being filed before the District Judge Surajpur.

5. In the light of the aforesaid fact, a detailed order was passed by this Court on 14.07.2017 in Review Petition No.74 of 2017, taking *suo motu* under review order dated 28.06.2017 in MCC No.258 of 2017.

6. In view of the information which has now been placed on record, it is clear that Vishrampur is situated within the territorial jurisdictional of District Court, Surajpur. At Surajpur, there is no Family Court. All the matrimonial disputes are being filed and adjudicated by District Judge, Surajpur.

7. In vie of the above, order dated 28.06.2017 passed in MCC No.258 of 2017 is hereby recalled and now, it is directed that the aforesaid Civil Suit which is pending at Family Court, Durg be transferred to District Judge, Surajpur for decision.

8. Both the party shall appear before the District Judge, Surajpur on 20.09.2017 and thereafter the case shall proceed.

9. It is expected that the Court shall dispose off the matter as early as possible.

10. Both the petitions are accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge