

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 23 of 2017**

- Pinki Wadhwani D/o Smt. Isha Dingwani, Aged About 36 Years R/o In Front Of Jhulelal Mandir Behind Jangi Shop Bhoipara Lakhe Nagar New Raipur, Chhattisgarh

---- Appellant

Versus

- Dinesh @ Dharmu Das Wadhwani S/o Shri Vishnumal Wadhwani, Aged About 38 Years R/o L I G 116 Housing Board Colony Charoda Bhilai Durg, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Ajay Mishra, Advocate.
For Respondent	:	Dinesh @ Dharmu Das Wadhwani appears in person.

Hon'ble Shri Justice Sanjay Agrawal**Order On Board****29/08/2017**

1. This is a petition filed by the petitioner/wife Pinki Wadhwani under Section 24 of the Civil Procedure Code, 1908 (hereinafter referred to as the Code of 1908 in short) for transfer of case No.662/2015 titled as Dharmu Das vs Smt. Pinki, from Family Court, Durg to Family Court, Raipur.

2. Shri Ajay Mishra, counsel for the petitioner submits that one matter filed under Section 125 of Code of Criminal Procedure, 1973, is already pending before the Family Court, Raipur and since the petitioner is living along with her minor child, therefore, it is difficult for her to attend the Family Court at Durg on each and every date of hearing. On these premises, Shri Mishra prays for transfer of said matter initiated by the respondent under Section 13 of the Hindu Marriage Act to the Family Court Raipur.

3. I have heard learned counsel for the petitioner and perused the entire record carefully.

4. The complete order sheets of the said case pending before the Family Court at Durg would show that the trial Court, after considering the petitioner's application filed under Section 24 of the Hindu Marriage Act, has allowed the same vide its order dated 22.04.2016 and the litigation charges as well as the travelling charges have been awarded to the petitioner in order to make her convenient to attend the Family Court at Durg on each and every date of hearing and after obtaining such an order, the instant transfer petition has been filed.

5. In view of the above fact, I see no ground in this petition for transfer of the matter initiated by the respondent under Section 13 of the Hindu Marriage Act to the Family Court Raipur.

6. Accordingly, this petition, being devoid of merit, is hereby dismissed. No order as to costs.

Sd/-

(Sanjay Agrawal)
Judge