

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (C) No.11 of 2016**

Smt. Lalita Sahu W/o Shri Milan Sahu, D/o Shri Rohan Lal Sahu, Aged About 23 Years R/o Yadunandan Nagar, Ameri Road Near Takshila School, Tifra, P. S. Chakarbhatta, Civil & Revenue District Bilaspur (Chhattisgarh)

----Petitioner**Versus**

Milan Sahu S/o Hirawan Sahu, Aged About 24 Years R/o Quarter No. F-870 Kailash Vihar C S E B Colony Darri, Thana & Tahsil Katghora, Civil & Revenue District Korba (Chhattisgarh)

-----Respondent

For Appellant:

Shri Sunil Sahu, Advocate.

For Respondent:

Shri Parasmani Shriwas, Advocate.

Single Bench: Hon'ble Shri Sanjay Agrawal, J
Order On Board

04.04.2017

1. This is a Petition filed by the Petitioner/wife under Section 24 of the CPC for transfer of Civil Suit No.78-A/2015 registered under Section 9 of the Hindu Marriage Act pending before the Family Court, Katghora to the Family Court, Bilaspur.

2. It is submitted by her that she has instituted a proceeding under Section 125 Cr.P.C which is pending before the Family Court at Bilaspur. It is submitted in the Petition that she is residing with her parents' house at village Ghuru, District Bilaspur and therefore, it is difficult for her to attend the each day's proceedings before the Family Court at Katghora. It is submitted further by her that in various decisions, the Hon'ble Supreme Court as well as the High Court had observed that the convenience of the wife should be looked into in matrimonial proceedings. Therefore, prays for transfer of the said case i.e. Civil Suit No.78-A/2015 from the Family Court, Katghora to the Family

Court at Bilaspur.

3. Having considered the facts and circumstances of the case, I hereby allow the Petition. Consequently, Civil Suit No.78-A/2015 pending before the Family Court, Katghora, District Korba registered under Section 9 of the Hindu Marriage Act shall stand transferred to the Family Court at Bilaspur.

4. Accordingly, the instant Transfer Petition stands disposed of. No order as to costs.

Sd/-

(Sanjay Agrawal)
JUDGE

Priya