

HIGH COURT OF CHHATTISGARH, BILASPUR

TPC No. 51 of 2017

Kavita Kaithwas W/o Mukesh Kaithwas, Aged About 26 Years R/o Hemu Nagar, In Front Of Om Shanti Cottage, P.S. Torwa, District Bilaspur, Tahsil And District Bilaspur, Chhattisgarh

---- Petitioner

Versus

Mukesh Kaithwas S/o Dhinram Kaithwas, Aged About 30 Years R/o Adarsh Nagar Charaunda, P.S. Charaunda, District Durg, Chhattisgarh

---- Respondent

For petitioner-Shri Avinash Chand Sahu, Advocate.
For Respondent- Shri Punit Ruparel, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

03/10/2018

Heard.

1. Instant petition is for transfer of matrimonial case filed by the husband from Family Court, Durg to Family Court, Bilaspur.
2. Instant petition is filed by the wife. It is contended that the husband/respondent has filed an application for divorce under section 13 of the Hindu Marriage Act which is pending before the Family Court, Durg and the petitioner/wife being lady she has to undertake journey in early morning and she could reach back in late evening since respondent/husband attends the court in the second half, as such in order to come back to Bilaspur she has to undertake night journey in train which is 200 kms away and the wife has also to look after her ailing parents. If case is transferred to Family Court, Bilaspur no prejudice would be caused to the husband and it would be convenient for the wife to attend the case here at Bilaspur.
3. Learned counsel for the respondent opposes the same.
4. Perused the document connected to this petition. Considering the

fact that the petition is filed by the wife and she has to undertake journey, it is always convenience of the wife to be considered and no prejudice would be caused to the husband if case is transferred to the Family Court, Bilaspur from Family Court, Durg.

5. Under the circumstances, it is directed that the case filed by the respondent/husband bearing no.375/2016 pending before Family Court, Durg be transferred to the Family Court, Bilaspur. Parties shall appear before the Family Court, Bilaspur on 14th November, 2018.

6. Accordingly, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE