

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

TPCR No. 6 of 2018

1. Smt Abha Sahu W/o Yashwant Sahu, Aged About 33 Years, D/o Shri M. L. Sahu, R/o Near Sai Mandir, Bengali Para, Purana Sarkanda, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Anya Sahu D/o Yashwant Sahu, Aged About 2 Years Through Natural Guardian Smt. Abha Sahu W/o Yashwant Sahu, R/o Near Sai Mandir Bengali Para, Purana Sarkanda, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Petitioners

Versus

- Yashwant Sahu S/o R. P. Sahu, Aged About 34 Years, R/o House No. 377, Sunder Nagar, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant/Respondent

For Petitioners – Shri Saleem Kazi, Advocate.

For Respondent/Non-applicant – Shri Kishore Bhaduri, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07/05/2018

1. This petition under Section 407 of the Cr.P.C. has been brought praying for transfer of MJC No.94/2016 and MJC No.450/2017 pending before the Court of Additional Principal Judge, Family Court, Bilaspur to some other Family Court within the jurisdiction of Bilaspur District.
2. It is submitted by learned counsel for the petitioners that the petitioners have no confidence in the Court where the case as mentioned above are pending for various reasons, hence, it is prayed that the cases be transferred to another Court. Learned counsel for the petitioners placed reliance in the judgment delivered by Hon'ble the Supreme Court in the matter of Kanaklata Versus State of (NCT) of Delhi & Ors., reported in (2015) 6 SCC 617.
3. Learned counsel for the respondent, in reply, submits that the respondent has no objection if the case is transferred to some other Court and it is prayed that direction be issued to the concerned Court to expedite the

matter and conclude the same as soon as possible.

4. Considered on the reasons mentioned in the application and also that the application has no opposition from the respondent side. The petition is allowed at the motion stage. MJC No.94/2016 and MJC No.450/2017 are transferred from the Court of Additional Principal Judge, Family Court, Bilaspur to the Court of Principal Judge, Family Court, Bilaspur with a direction to expedite the proceedings and complete the same as soon as possible.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge