

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Transfer Petition (C) No.15 of 2018

Smt. Vijay Laxmi @ Rakhi Kachhwaha, W/o Mahendra Kachhwaha, aged about 37 years, R/o Behind Ajit Hotel, R.K. Boot House, Gali No.3, Telipara, Bilaspur, Tahsil and District Bilaspur, Chhattisgarh

---- Petitioner

versus

Mahendra Kachhwaha, S/o Late Ramsevak Kachhwaha, aged about 49 years, R/o Township, House No.2B/1 M.A. Type Township Dallirajhara, District Balod, Chhattisgarh

--- Respondent

and

Transfer Petition (C) No.18 of 2018

Mahendra Kachwaha, son of Late Shri Ram Sewak Kachwaha, aged about 49 years, resident of Township Quarter No.2B/1 M.A. Type Township Dallirajhara, District Balod, Chhattisgarh

---- Petitioner

versus

Smt. Vijay Laxmi @ Rakhi Kachwaha, wife of Mahendra Kachwaha, aged about 37 years, resident of in front of Ajit Hotel, R.K. Boot House Road, Gali No.3, Telipara, Bilaspur, Tahsil and District Bilaspur, Chhattisgarh

--- Respondent

For Smt. Vijay Laxmi	:	Shri G.V.K. Rao, Advocate
For Mahendra Kachhwaha	:	Shri Neeraj Pradhan, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

8.5.2018

1. With the consent of Learned Counsel appearing for the parties, both the transfer petitions are heard finally. Since a common issue is involved in both the petitions, they are decided together.
2. Transfer Petition (C) No.15 of 2018 has been preferred by wife Smt. Vijay Laxmi @ Rakhi Kachhwaha in which she has prayed for transfer of Case No.14A of 2017 pending before 1st Additional Principal Judge, Family Court/Link Court, Balod to the Additional Principal Judge, Family Court, Bilaspur on the ground that she

being a lady is facing more mental and social difficulty to attend the hearing before the Court at Balod and another case under Section 125 of the Cr.P.C. preferred by her before the Additional Principal Judge, Family Court, Bilaspur is also pending, therefore, both the litigations be heard at the Court at Bilaspur.

3. Transfer Petition (C) No.18 of 2018 has been preferred by husband Mahendra Kachhwaha in which he has also prayed for transfer of the same Case No.14A of 2017 from Balod to Bilaspur on the ground that he is already attending the proceedings of the case under Section 125 of the Cr.P.C. pending at Bilaspur, therefore, it would be convenient for him if both the cases are heard at the Court at Bilaspur.
4. Since both the parties have made a common prayer, Case No.14A of 2017 pending before 1st Additional Principal Judge, Family Court/Link Court, Balod is transferred to the Court of Additional Principal Judge, Family Court, Bilaspur. The parties shall now appear before the Court of Additional Principal Judge, Family Court, Bilaspur on 23rd of July, 2018. A copy of this order be sent to the concerned Courts of Balod and Bilaspur for information and necessary compliance.
5. Accordingly, both the transfer petitions are allowed in the aforesaid terms.

Sd/-
(Arvind Singh Chandel)
Judge