

HIGH COURT OF CHHATTISGARH, BILASPUR

TPC No. 21 of 2018

Smt. Durgesh Sharma W/o Pankaj Sharma Aged About 34 Years
R/o Radi Sati Bhawan, Karbala Chowk, Juna Bilaspur, Tahsil And
District Bialspur, Chhattisgarh

---- **Petitioner**

Versus

Pankaj Sharma S/o Damodar Prasad Sharma Aged About 34 Years
R/o Shankar Ward, Bhatapara, Tahsil And District Balodabazar-
Bhatapara, Chhattisgarh

---- **Respondent**

For petitioner-Shri Vikram Dixit, Advocate.
For respondent-Shri A.P. Sharma, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order

28/08/2018

1. Heard on the application under section 24 of the CPC for transfer of matrimonial case from Court of Additional District Judge, Bhatapara to Family Court, Bilaspur.
2. Instant petition is filed by the wife. It is contended that respondent is constable and therefore the threat looms large on the petitioner and she is under fear to attend the court on each and every date, therefore case may be transferred to the Family Court, Bilaspur. It is further contended that one application under section 125 of Cr.P.C. is pending before Family Court, therefore in all fairness case may be consolidated to one court.
3. Learned counsel for the respondent submits that in the divorce case filed by the husband maintenance has been awarded of Rs.5000/- per month, apart from that Rs.500/- has been awarded for every date of hearing to the wife.
4. Perusal of the record shows that an application under section 125 of Cr.P.C. is filed by the wife which is pending before the Family Court, Bilaspur. The distance from Bhatapara to Bilaspur may not be very inconvenient for each of the parties to the litigation. Considering the convenience of the wife

and taking into fact that one petition under section 125 of Cr.P.C. is already pending before the Family Court, Bilaspur the matrimonial case pending before the Court of Additional District Judge, Bhatapara bearing number 22/2017 shall stand transferred to the Family Court, Bilaspur. It is further directed that the travelling allowance of Rs.500/- per hearing which was awarded to the wife shall not be hence payable to the wife after such transfer.

5. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE

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