

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 31 of 2018**

- Smt. Monika Jhariya D/o Shri Shankar Thakur, Aged About 29 years, W/o Radheshyam Jhariya, R/o Village Singhola, Post Singhola, Police Station And District- Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

- Radheshyam Jhariya S/o Shri Sukhlal Thakur Aged About 33 Years R/o Patel Para, Bade Kilepal, Police Station Kodanar, District- Bastar, Chhattisgarh. Presently Residing Schoolpara, Singhanpur, Police Station Badanji, District- Bastar, Chhattisgarh

---- Respondent

For Petitioner : Shri C.K. Sahu, Advocate

None for the respondent, despite service of notice.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****25/10/2018**

1. Heard.
2. The present petition has been filed for transfer of a case filed under Section 13 of the Hindu Marriage Act by the husband before the Family Court, Jagdalpur to Family Court Rajnandgaon.
3. It is contended on behalf of the wife/petitioner that she is the permanent resident of Rajnandgaon and presently she resides there. It is further contended that she being a lone lady, it is extremely difficult for her to travel altogether from Rajnandgaon to Jagdalpur which is at a distance of more than 200 Kms.

4. Despite service of notice no representation is made by the respondent/husband.
5. Perused the order-sheet. Perusal of the order-sheets would show that the petitioner is represented through amicus curiae before the Family Court at Jagdalpur. The distance between Rajnandgaon to Jagdalpur as has been stated is near about 300 kms and only bus route is available. It is always the convenience of the wife which is to be considered in considering the application for transfer of a case of like nature. Considering the fact that no representation is made by the respondent/husband and also taking into the distance in between Rajnandgaon and Jagdalpur, certainly there would be much inconvenience to the wife to travel all the way to attend the Court at Jagdalpur from Rajnandgaon. In view of this, it is directed that the proceedings filed by the husband/respondent in the case bearing Civil Suit No.23-A/17 pending before the Court of Principal Judge, Family Court, Bastar Place Jagdalpur is directed to be transferred to the Family Court, Rajnandgaon. The parties shall appear before the Family Court Rajnandgaon on 7th of December, 2018. If the respondent do not appear before the Family Court, Rajnandgaon, notices be issued to him from the said court for his appearance.
6. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu