

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 38 of 2018**

- Smt. Ankur Nandi D/o Shri Gopal Nandi, Aged About 36 Years R/o 1st Floor, Vaishali Residency, Torwa, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

- Alok Ghosh S/o Late Shri Kamal Krishna Ghosh, Aged About 39 Years R/o Nagar Surajpur, P.S. And Tehsil Surajpur, District Surajpur Chhattisgarh

---- Respondent

For Petitioner	:	Shri Achyut Tiwari, Advocate
For Respondent	:	Shri Amit Kumar, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****05/10/2018**

1. Heard.
2. The present petition has been filed under Section 24 of the Code of Civil Procedure, 1908 for transfer of the proceedings of a matrimonial case filed under Section 9 of the Hindu Marriage Act filed by the husband bearing Civil Suit No.07-A/2018 pending before the Court of District Judge, Surajpur to the Family Court, Bilaspur.
3. It is contended on behalf of the petitioner/wife that it is extremely difficult for her to travel all the way from Bilaspur to Surajpur and she being a lady faces inconvenience as compared to the husband/respondent and no prejudice would

be caused to the husband if the case is transferred to the Family Court, Bilaspur, therefore, the same may be transferred to the Family Court, Bilaspur.

4. Learned counsel for the respondent vehemently opposes the arguments and submits that the petitioner is a working lady and it is also difficult for the husband/respondent to get leave to come to Bilaspur, therefore, there is no justification in transferring the case to Bilaspur.
5. Perused the documents. It appears that the petitioner/wife has claimed Rs.2600/- for different expenses incurred to attend the case at Surjapur and it has been stated that the Surjapur is about more than 250 kms away from Bilaspur. Considering the facts of this case, in the opinion of this Court, no prejudice would be caused to the husband if the case is transferred to the Family Court, Bilaspur as the convenience of the wife has to be given preference. Under the circumstances, it is directed that the petition filed by the husband under Section 9 of the Hindu Marriage Act before the District Judge, Surajpur bearing Civil Suit No.07-A/2018 is directed to be transferred to the Family Court, Bilaspur. The parties shall appear before the Family Court, Bilaspur on 16th of November, 2018.
6. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu