

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 52 of 2017**

- Smt. Sushma Bhagat W/o Shri Mahesh Kumar Hindco, Aged About 28 Years Caste Uraon, Occupation Housewife, R/o C/o Balkuram Village Gamhardihi, Post Durgapur, P. S. And Tah. Shankargarh, Distt. Balrampur Presently Resided At Subhashnagar, Ambikapur P. S. Gandhinagar, Tahsil Ambikapur, , District Surguja, Chhattisgarh

---- Petitioner**Versus**

- Mahesh Kumar Hindco S/o Late Shankar Sahay Hindco, Aged About 31 Years (Wrongly Mentioned As Kindco) , Caste Uraon, Occupation Government Peon, Government Boys Higher Secondary School, Narayanpur, P. S. Narayanpur, Distt. Narayanpur, Chhattisgarh R/o Village Paivari, Tah. Antagarh, distt. North Bastar, Kanker (C.G.)

---- Respondent

For Petitioner	:	Shri PK Patel, Advocate
For Respondent	:	Shri Amit Kumar Sahu, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/08/2018**

1. Heard.
2. As per the case of the petitioner, the petitioner is the wife and is a resident of Ambikapur. It is contended that an application under Section 10 of the Indian Divorce Act, has been filed by the husband/respondent before Bhanupratappur, district North Bastar, Kanker. It is contended that it is extremely difficult for wife to attend the Court at Bhanupratappur as the distance wherein wife stays is more than 600 kms and there is no direct train route is available. Therefore, it is prayed that the case filed by the respondent/husband may be transferred to

the Court of Ambikapur as one more case under Section 125 of the Hindu Marriage Act is already pending before the Additional Sessions Judge, Ambikapur.

3. Perused the document filed with the petition. No oppose is made to seeking transfer of the case. Perusal of the document shows that a petition for dissolution of the marriage has been filed by the husband at Bhanupratappur, district North Bastar, Kanker and one more petition is filed by the petitioner/wife before the Court of JMFC, Ambikapur. The documents further reveal that some petition has been filed by the wife/petitioner is pending adjudication before Family Court, Ambikapur and matrimonial related proceedings appear to have been pending before the Third Additional Sessions Judge, Ambikapur, though the particulars of the same are not enclosed. In the background of the fact that the respondent has not opposed such transfer of the civil suit No.1A/17 pending before the Additional District Judge, Bhanupratappur, North Bastar Kanker, filed by the respondent/husband for dissolution of the marriage, the same is directed to be transferred to the Court of District Judge, Ambikapur and the District Judge Ambikapur thereafter may place this case before the appropriate Court as per the distribution memo.

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

Sd/-

Goutam Bhaduri
Judge

Ashu