

**HIGH COURT OF CHHATTISGARH, BILASPUR****TPC No. 52 of 2018**

- Smt. Sangeeta Shukla Daughter of Murli Manohar Tiwari Aged About 35 Years Presently Residing At Sonia Nagar, Raigarh, Tahsil And District Raigarh, Chhattisgarh

**---- Petitioner****Versus**

1. Pankaj Kumar Shukla Son Of Late Bhanu Prasad Shukla Aged About 39 Years R/o Village Kaitha, Presently Residing At Barpali Chowk, Champa, Tahsil Champa, District Janjgir Champa, Chhattisgarh
2. Nimish Kumar Tiwari S/o Roshan Kumar Tiwari Aged About 22 Years R/o Village Kauoataal, Thana Sarangarh, District Raigarh Chhattisgarh

**---- Respondents**


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For Petitioner : Shri Hari Agrawal, Advocate  
None for the respondents, though served

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****03/10/2018**

1. Heard.
2. Learned counsel for the petitioner submits that the Dasti service has been effected on the respondents, however, no representation is made even in the second call.
3. The present petition has been filed for transfer of a case bearing No.95A/2018 pending before the Family Court, Janjgir to the Family Court, Raigarh.
4. It is pleaded that the petitioner/wife is resident of Raigarh and the husband has filed a divorce petition before the Family Court, Janjgir and she being alone

residing with minor two daughters, it is extremely difficult for her to travel from Raigarh to Janjgir along two minor daughters on each and every date of hearing and travel for a duration of 7-8 hours to and fro from Raigarh. It is further contended that no prejudice would be caused to the husband if the case is transferred to Raigarh which is nearly 80-100 kms away and direct train route is available.

5. No representation is made by the respondents despite the service is made as per the affidavit sworn by the petitioner that personal service was effected.
6. Considering the facts of this case, no prejudice would be caused to the husband if the case is transferred to Raigarh and the petitioner resides with her minor two daughters and it has also not been rebutted that she resides at Raigarh with her parents and also considering the convenience of the wife, the case bearing No.95A/2018 (Pankaj Kumar Shukla Versus Sangeeta Shukla & anr.) pending before the Family Court, Janjgir is directed to be transferred to the Family Court, Raigarh. The parties shall appear before the Family Court, Raigarh on 14<sup>th</sup> of November, 2018. If the respondents do not appear before the Family Court, Raigarh, notices be issued to them from the said court for their appearance.
7. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri  
Judge

Ashu