

HIGH COURT OF CHHATTISGARH, BILASPUR**TPCR No. 23 of 2018**

Harish Kumar Banjare, S/o Hem Das Banjare, Aged About 40 Years,
Occupation Senior Section Engineer, T.R.D. Railway Raipur, (C.G.)
R/o Qtr No. 204/2, Cross Road-2, Zone-2, Near Divisional Railway
Hospital, WRS Colony, Tahsil & District Raipur (C.G.)

---- Petitioner**Versus**

Smt. Smrita Banjare, W/o Harish Banjare, Aged About 36 Years, at
present R/o C/o Father Shri S.P. Navratna, Sagar Sadan, B-4, Vidya
Vihar Colony, Vidyut Nagar, Durg, Tahsil & District – Durg (C.G.)

---- Respondent

For Petitioner : Mr. A.D. Kuldeep, Advocate.

For respondent : None.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****12/09/2018**

1. This transfer petition is preferred under Section 407(1)(a) of the Code of Criminal Procedure, 1973 for transferring Criminal MJC No. 58/2018 (Smt. Smrita Banjare & others Vs. Harish Kumar Banjare) pending before the court of Principal Judge, Family Court, Durg (C.G.) under Section 125 of Cr.P.C. for maintenance to the court at Raipur (C.G.).
2. Learned counsel for the petitioner submits that for appearing before the court at Durg, the petitioner is to undertake journey from Raipur to Durg and he has to suffer inconvenience as he is suffering from ailment, therefore, the case may be transferred.
3. Matter is related to maintenance and as per order-sheets of the court of Principal Judge, Family Court, Durg, presence of

the petitioner is not required. He can file reply through his counsel or representative. The distance between Raipur to Durg is 40 Km. and for this journey of 40 Km., the inconvenience is slight one, therefore, grounds raised by the petitioner is not sufficient to transfer the case from the court at Durg to court at Raipur.

4. In view of the above, the petition stands dismissed at motion stage itself.

Sd/-
(Ram Prasanna Sharma)
Judge