

HIGH COURT OF CHHATTISGARH, BILASPUR

TPC No. 67 of 2018

- Smt. Priya Jain W/o Shri Ram Chand Chopda Aged About 38 Years R/o Near Ravi Kirana Store, Prem Sagar Nagar, Baiga Para, Durg, District- Durg, Chhattisgarh

---- Petitioner

Versus

- Ram Chand Chopda S/o Shri Uttam Chand Chopda, aged about 41 years, R/o Goal Bazar Gandhi Ward Mungali, Tehsil And District- Mungali, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Ishan Verma, Advocate
For Respondent	:	Shri C.P. Lahre, Advocate appears on behalf of Shri Pallav Mishra, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/12/2018

1. Heard.
2. The present petition has been filed by the wife for transfer of a matrimonial case bearing C.S. No.63A/2016, which has been preferred by the husband Ram Chand Chopda under Section 12 of the Hindu Marriage Act, 1955, pending before the Additional District Judge, Mungeli to the Family Court, Durg.
3. Learned counsel for the petitioner submits that the petitioner being a lady it is extremely difficult for her to travel altogether from Durg to Mungeli, as it is more than 125 kms and all the time she being a lady has to travel by road alone and

no prejudice would be caused to the husband if the case is transferred to the Durg Court, wherein the petitioner is residing.

4. Learned counsel for the respondent opposes the same and submits that the petitioner can very well travel and attend the Court at Mungeli.
5. Perused the documents connected with this petition. It appears that the respondent has filed an application for seeking divorce from the wife. It is been pleaded that no maintenance has been granted till date. Considering the same and it is always the convenience of the wife has to be considered, therefore, in the opinion of this Court no prejudice would be caused to the husband as against the wife because she is a lady. Taking into such fact, it is directed that the case bearing C.S. No.63A/2016 pending before the Additional District, Judge, Mungeli, District- Mungeli captioned as Ram Chand Chopda Vs. Smt. Priya Jain, shall stand transferred to the Family Court, Durg. The parties shall appear before the Family Court Durg on 11th February, 2019.
6. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu