

HIGH COURT OF CHHATTISGARH, BILASPUR

T.P.(C) No. 80 of 2018

Smt. Megha Sao, W/o. Gurucharan Sao, Aged About 23 Years, D/o. Late Rajesh Sahu, R/o. Village Dodki, Tahsil Sakti, District- Janjgir-Champa, Chhattisgarh.

---- Petitioner

Versus

Gurucharan Sao, S/o. Gopal Ram Sao, Aged About 33 Years, Occupation Government Servant, Permanent R/o. Village Aurdas, Tahsil Pusore, District- Raigah, Chhattisgarh, At Present, R/o. Katangpani, Tahsil Barmkela, District- Raigarh, Chhattisgarh.

---- Respondent

For Petitioner : Mr. Ishwar Jaiswal, Advocate

For Respondent : Mr. Ashish Gupta, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.12.2018

Heard

1. The present petition is filed by the wife for transfer of a case i.e. Civil Suit No.F-65-A/2018 pending before the Family Court, Raigarh to the Family Court, Sakti, District Janjgir-Champa.
2. It is contended that the wife is resident of village Dodki, which is 15 km away from Sakti where-from she has to travel by Bus to Sakti and thereafter she catches Train to travel to Raigarh and it is very difficult for her to travel from one place to another carrying a minor child. It is further submitted that if the case is transferred to the Family Court Sakti, she would travel from village Dodki to Sakti only, which is convenient for her; therefore, the case preferred by the husband at Family Court Raigarh may be transferred to the Family Court Sakti.
3. Per contra, learned counsel for the respondent vehemently opposes the same and would submit that the wife can very well

travel to Raigarh from village Dodki and if the case is transferred to the Family Court Sakti, the respondent who is working as Patwari and posted at Baramkela, he has to travel first to Raigarh and then from Raigarh to Sakti, which is very difficult for him.

4. Perused the order of the Family Court. It is not disputed in between the parties that the petitioner is resident of village Dodki and also it is not disputed that in order to travel Raigarh she has to first travel to Sakti from village Dodki by Bus and thereafter she catches the Train to travel to Raigarh with a minor child. Taking into totality of the case, it is always the convenience of the wife is to be considered and it appears that no prejudice would be caused to the husband if the case is transferred. Therefore, under the circumstances, it is directed that the Civil Suit bearing No.F-65-A/2018 pending before the Family Court, Raigarh be transferred to the Family Court Sakti, District Janjgir-Champa.
5. In view of the above, the petition is allowed. The parties shall appear before the Family Court Sakti on 09th January, 2019.

Sd/-
(Goutam Bhaduri)
Judge