

HIGH COURT OF CHHATTISGARH, BILASPUR

TPC No. 24 of 2019

- Purvi Jain Bohra W/o Ritesh Bohra aged about 28 Years
R/o House No. 56, Amrapali Society, Power House, Durg,
District- Durg, Chhattisgarh.

---- Petitioner

Versus

- Ritesh Bohra S/o Shri Suresh Bohra aged about 28 Years
R/o D- 348, Sector-5, Taigor Nagar, Tahsil and District-
Raipur, Chhattisgarh.

---- Respondent

For petitioner : Mr. Purenendra Khichariya, Advocate.

For respondent : Ms. Abhyunnati Singh, Advocate appears
on behalf of Mr. Abhyuday Singh,
Advocate.

SB: Hon'ble Shri Justice Ram Prasanna Sharma

Oral Order

08-07-2019

1. This is wife's petition for transfer of petition filed before the
court of Principal Judge, Family Court, Raipur, under
Section 9 of the Hindu Marriage Act, 1955 registered as
Case No. 449 of 2018 (Ritesh Bohra vs Smt. Purvi Jain
Bohra) to the court of Principal Judge, Family Court, Durg.
2. As per version of the petitioner, respondent/husband has
filed the petition at Raipur while petitioner/wife is a resident

of House No.56, Amrapali Society, Power House, Durg on the ground of inconvenience.

3. The application is opposed by the respondent on the ground that it is also inconvenient to him to go to Durg because he is serving at Raipur. He has placed reliance on the decision of High Court of Calcutta in the matter of **Dipika Agarwal @ Dipika Khaitan vs. Rishi Agrawal (C.O.No.622 of 2019) decided on July 4, 2019.**
4. In the matter of **Rajani Kishor Pardeshi Vs Kishor Babulal Pardeshi reported in (2005) 12 Supreme Court Cases-237**, it is held that in such case inconvenience of the wife is to be preferred over the convenience of the husband.
5. Accordingly, Case No. 49 of 2018 (Ritesh Bohra vs Smt. Purvi Jain Bohra) pending before the Court of Principal Judge, Family Court, Raipur is transferred to the Court of Principal Judge, Family Court, Raipur with immediate effect.
6. Accordingly, the Transfer Petition is allowed.

Sd/-

(Ram Prasanna Sharma)
JUDGE

Raju