

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 35 of 2019**

Mayavati, W/o- Virendra Chelse, Aged about - 24 years, R/o- Village Koliyari Kanpa, Post- Palansari, Tahsil Pandaria, At Present R/o- Village Bordehi, Tahsil- Nawagarh, Post- Badnara, District- Bemetara (C.G.)

---- Petitioner

Versus

Virendra Chelse, S/o- Rajju Kumar, Aged about- 32 years, R/o- Village Koliyari Kanpa, Post- Palansari, Tahsil- Pandaria, District- Kabirdham (C.G.)

---- Respondent

For Petitioner	: Mr. Vipin Singh, Advocate
For respondent	: Mr. S. K. Sahu, Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****03.07.2019**

1. This is wife's petition for transfer of Hindu marriage case filed under Section 13 (1) (A) of Hindu Marriage Act, 1955 by the respondent/husband before the Family Court, Kabirdham (Kawardha) to Family Court, Bemetara,.
2. As per version of the petitioner, she has no source of income and is unable to bear expenses for attending the proceedings before the Family Court, Kabirdham.
3. Learned counsel for the respondent submit that he will also face inconvenience if case is transferred to the Court at Bemetara.
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, Civil Suit No. 33-A of 2018, pending between the parties before the Family Court, Kabirdham is transferred to the Family Court, Bemetara with immediate effect.
6. Accordingly, the Transfer Petition is allowed.

Sd/-

(Ram Prasanna Sharma)
JUDGE