

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Civil) No.45 of 2019**

- Smt. Ranjita Savanni Alag W/o Amit Alag Aged About 30 Years R/o Near Hanumam Gadi Mandir, Main Road, Kesar - 24, Rajkishore Nagar, District Bilaspur Chhattisgarh.

---- **Petitioner****Versus**

- Amit Alag S/o Shri Rajkumar Alag Aged About 33 Years R/o Vrindavan Colony, Jagdalpur, District Bastar Chhattisgarh.

---- **Respondent**

 Petitioner is present along with her counsel Shri Prasoon Agrawal,
 Advocate
 For the Respondent : Shri Siddharth Rathod, Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

03.10.2019

1. This transfer petition has been filed by the wife/petitioner under Section 24 of the Code of Civil Procedure, for transferring Civil Suit No.7A/2019 filed under Section 13 of the Hindu Marriage Act, 1955 for divorce and pending before the Family Court, Jagdalpur to Family Court Bilaspur, Chhattisgarh.
2. The petitioner has submitted that she is willing to divorce with the respondent, therefore, both the parties may file joint petition in this regard.
3. A case filed by the respondent is pending before the Family Court Jagdalpur. As per the version of the petitioner, she is the resident of Rajkishore Nagar, Bilaspur, she has to face a lot of problems in contesting the case filed by the respondent at Jagdalpur.

4. On the other hand, learned counsel for the respondent submits that the respondent will face inconvenience in contesting the case at Bilaspur.

5. Now the point for consideration before this Court is whose inconvenience is preferable in the facts and circumstances of the case. In the matter of **Sumita Singh Vs. Kumar Sanjay & Anr.** reported in **AIR 2002 SC 396** it is held that it is wife's inconvenience that must be looked up.

6. Accordingly, present petition is allowed. Civil Suit No.7A/2019 filed under Section 13 of the Hindu Marriage Act and pending before the Family Court Jagdalpur is directed to be transferred to the Principal Judge, Family Court Bilaspur with immediate effect. The Court at Jagdalpur shall transmit the record of the above mentioned case to the Court at Bilaspur.

7. Both the parties shall remain present before the Court at Bilaspur on 26.11.2019 for further proceedings.

Sd/-
(Ram Prasanna Sharma)
JUDGE