

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No.1084 of 2018**

Smt.Laxmi Verma W/o Shri Chetan Verma, aged about 26 years,
Occupation-Housewife, R/o Village – Hathkhoj, Pongur Dung, Post –
Surdum, Tahsil and District Durg (CG)

----Petitioner

Versus

Chetan Kumar Verma S/o Dwarika Prasad Verma, aged about 36 years,
Caste-Kurmi, Occupation- Service, Under CSEB, Village – Lawatara,
Tahsil & Post – Berla, District Bemetara (CG), Presently R/o Madwa
Plant, Tahsil and District Janjgir (CG)

---- Respondent

For Petitioner	:	Mr.A.K.Prasad, Advocate
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Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

04/01/2019

1. By the impugned order, question of territorial jurisdiction has been decided by the Family Court against the petitioner/defendant, against which, this writ petition has been filed.
2. Learned counsel for the petitioner would submit that the Family Court is absolutely unjustified in deciding the issue in negative.
3. I have heard learned counsel for the petitioner and perused the impugned order.
4. According to Section 19 (1) (iii) of the Hindu Marriage Act, 1955 (hereinafter called as “the Act of 1955”), petition under Section 13 of the Act of 1955 can be presented to the district court within the

local limits of whose ordinary original civil jurisdiction the parties to the marriage last resided.

5. In this case, the Family Court after appreciating the evidence available on record has held the parties to the suit herein last resided in Lawatara, District Bemetara and as such, the suit is within the territorial jurisdiction of that Court, which is the finding of fact based on material available on record, in which I do not find any illegality or perversity.
6. Accordingly, the writ petition is liable to be and is hereby dismissed.
No cost(s).

Sd/-
(Sanjay K.Agrawal)
Judge

B/-