

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 1 of 2019**

Smt. Priyanka Soni, W/o - Deenbandhu Soni, Aged about- 32 Years, R/o - Village Sakri, Tahsil - District Bilaspur (C.G.)

---- Petitioner

Versus

Shree Deenbandhu Soni, S/o -Shree Jawahar Lal Soni, Aged About -43 Years, By Caste Sonar, R/o -Village & Post Beltara, Tahsil -Ratanpur, District - Bilaspur (C.G.), Current Address - Korba, Tahsil - District - Korba (C.G.)

---- Respondent

For Petitioner : Mr. Shalvik Tiwari , Advocate.

For Respondent : Mr. Samir Singh, Advocate.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

23/07/2019

1. This is wife's petition for transfer of petition filed before Family Court, Korba (C.G.) under Section 9 of the Hindu Marriage Act, 1955 registered as Civil Suit No. 155-A/2018 (Shree Deenabandhu Soni Vs. Smt. Priyanka Soni) to the Court of Principal Judge, Family Court, Bilaspur (C.G.).
2. It is submitted that on behalf of the petitioner that she is resident of Village- Sakri which is closed to Bilaspur whereas Korba is a distant place from Sakri and she had suffered a lot to contest a case at Korba.
3. On the other hand, learned counsel for the respondent submits that he is presently working at Korba, therefore, inconvenience will be caused to him, if case is transferred to Court at Bilaspur. Admittedly, the marriage was solemnized between the parties at Village- Sakri which is closed to Bilaspur. The matrimonial place to both the parties is at Village - Beltara, Tahsil - Ratanpur,

District - Bilaspur which is also closed to Bilaspur. As per version of respondent he is started working in Korba in the year 2016. Admittedly, other proceedings between the parties were initiated at Bilaspur.

4. The application is opposed by the respondent on the ground that it is also inconvenient to him to go to Bilaspur because is he serving at Korba.
5. In the matter of **Rajani Kishor Pardeshi Vs. Kishor Babulal Pardeshi**, reported in (2005) 12 SCC 237, it is held that in such case inconvenience of the wife is to be preferred over the convenience of the husband.
6. Accordingly, Civil Suit No. 155-A/2018 (Shree Deenabandhu Soni Vs. Smt. Priyanka Soni) between the parties pending before Family Court, Korba (C.G.) is transferred to the Court of Principal Judge, Bilaspur (C.G.) with immediate effect.
7. The parties to appear before the Court at Bilaspur on 28th August, 2019 for further proceedings.
8. Accordingly, the transfer petition is allowed.

Sd/-
(Ram Prasanna Sharma)
Judge