

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****TPC No. 82 of 2019**

Smt. Kiran Sahu, W/o Chitresh Kumar Sahu, aged about 27 years, R/o Ganesh Nagar, Chuchuiyapara, Ward No.44, Near Water Tank, Bilaspur, District Bilaspur (CG).

---- Applicant**Versus**

Chitresh Kumar Sahu, S/o Ramkrishna Sahu, aged about 29 years, R/o Mogra 241, Talpuri, Ruabandha, Tahsil & District Durg(CG).

---- Non-applicant

For Applicant : Mr. Vikas Shrivastava, Advocate
 For Non-applicant : None present, though notice has been served

Hon'ble Shri Sharad Kumar Gupta, Judge**Order on Board****28.02.2020**

1. The matter is heard finally.
2. The applicant has preferred this TPC under Section 24 of the Code of Civil Procedure, 1908 (in short, 'CPC') for transfer of Civil Suit No.369/2019 (**Chitresh Kumar Sahu Vs. Smt. Kiran Sahu**) pending before Second Additional Principal Judge, Family Court, Durg to Family Court, Bilaspur.
3. In brief, the applicant's case is that she is legally wedded wife of the non-applicant. She is resident of Bilaspur, whereas he is resident of Durg. He has filed an application under Section 13 of the Hindu Marriage Act against her, which is registered as Civil Suit No.369/2019 pending before Second Additional Principal Judge, Family Court, Durg. It is inconvenient for her to go to Durg from Bilaspur to attend the proceedings of the said case.
4. In the case in hand, the distance between Bilaspur to Durg is about 151 kms. Being a lady, it would be difficult for the applicant to go to Durg from Bilaspur to prosecute/defend proceeding of the said case and returned back.
5. Looking to the above mentioned facts and circumstances of the case, this Court is of the considered opinion that the balance of the convenience is in favour of the applicant. Consequently, the instant transfer petition deserves to be and is hereby allowed. It is ordered

that the Civil Suit No.369/2019 pending before the Second Additional Principal Judge, Family Court, Durg be transferred to the Principal Judge, Family Court, Bilaspur for its trial/disposal in accordance with law. The Second Additional Principal Judge, Family Court, Durg is directed to transmit the records of the above suit to the Principal Judge, Family Court, Bilaspur for further proceedings.

6. In view of above order, I.A. No.1 application for grant of interim relief stands disposed of.
7. No order as to costs.
8. Certified copy today.

**Sd/-
(Sharad Kumar Gupta)
Judge**

L/-