

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

TPCR No. 27 of 2019

Tushar Day S/o Tulsidas Day Aged About 38 Years Caste - Kayast, R/o Changorabhat, Raipura Chowk, Raipur, District - Raipur, Chhattisgarh.

---- Petitioner

Versus

1. Soma Day W/o Tushar Day Aged About 34 Years Caste - Kayast, R/o Changorabhat, Raipura Chowk, Raipur, District - Raipur, Chhattisgarh. Presently R/o Madhuban Colony, Tahsil Chowk, Village Sarbahra, Tahsil Pendra road, District - Bilaspur., Chhattisgarh
2. Soumya Day, aged about 8 years, S/o Tushar Day Through His Natural Guardian (Mother), Caste - Kayast, R/o Changorabhat, Raipura Chowk, Raipur, District - Raipur, Chhattisgarh. Presently R/o Madhuban Colony, Tahsil Chowk, Village Sarbahra, Tahsil Pendra road, District - Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Akhand Pratap, Advocate
For Respondent	:	Mr. Achyut Tiwari, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

10.02.2020

1. Heard on admission. Perused the material available.
2. The instant petition has been filed for transfer of MJC Case No.46 of 2018 from the Court of Judicial Magistrate First Class, Pendra road to the Family Court Raipur, District Raipur. There is another case pending before the Court of learned Principal Judge, Family Court Raipur between the parties under Section 13 of the Hindu Marriage Act.
3. Learned Counsel for the petitioner submits that the instant petition has been filed by the petitioner for transfer of MJC case No. 46/2018 on the ground that presently Respondent No. 1 is working

and residing at Raipur, therefore, in this ground he prays that MJC Case No.46 of 2018 may be transfer to the Family Court Raipur, District Raipur.

4. Learned Counsel for the Respondents admitted the fact that presently Respondent No. 1 is working and residing at Raipur (C.G.).
5. Having considered the facts and circumstances of the case and the submission put-forth, I find transferring the said MJC Case from the Court of Judicial Magistrate First Class, Pendraroad to the Family Court Raipur, District Raipur would be in the interest of justice.
6. Therefore, the instant transfer petition is allowed. MJC Case No.46 of 2018 pending before the Court of Judicial Magistrate First Class, Pendraroad is transferred to the Court of Principal Judge, Family Court Raipur, District Raipur (C.G.). A copy of this order be sent to the Judicial Magistrate First Class, Pendraroad and the Principal Judge, Family Court Raipur, District Raipur (C.G.) immediately. Both the parties are directed to appear before the Family Court, Raipur on 2nd of March, 2020.

Sd/-
(Arvind Singh Chandel)
Judge