



CGHC010350242026 2026:CGHC:45400

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

TPC No. 167 of 2026

1 - Smt. Madhuri Tiwari W/o Shri Vikas Shukla Aged About 35 Years R/o Saraswati Nagar, Pendraroad, District- Gaurela- Pendra- Marwahi (C.G.)

... Petitioner(s)

versus

1 - Vikas Shukla S/o Shri S.B. Shukla R/o Chakradhar, Banglapara, Raigarh District- Raigarh (C.G.)

... Respondent(s)

For Petitioner(s)	**:**	Ms. Priya Sharma, Advocate
For Respondent(s)	**:**	Shri Hari Agrawal, Advocate

({Hon'ble Shri Justice Sachin Singh Rajput})

Order on Board

27/10/2026

1. This petition under Section 24 of Civil Procedure Code, 1908 (for short 'CPC') has been filed by the petitioner/wife seeking for transfer of Case No.91A/2026 pending before Family Court, Raigarh, District - Raigarh (C.G.) to the Additional Sessions Court, Pendra Road (C.G.).

2. Learned counsel for the petitioner/wife submits that the respondent, who is the husband of the petitioner has filed an application under Section 13 of the Hindu Marriage Act, 1955 for seeking decree of divorce against the petitioner

before the Family Court, District - Raigarh (CG). He submits that the petitioner is a lady and at present she is residing at Pendra Road which is about 222 Kms away from Raigarh, thus, it causes great inconvenience to the petitioner to attend each and every hearing of the case at Family Court, Raigarh. He submits that the petitioner has no source of income. He further submits that in matrimonial matters, convenience of wife is to be considered by the Court. He placed reliance upon the decisions of Hon'ble Supreme Court in the matter of **Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi reported in (2005) 12 SCC 237** and **NCV Aishwarya v. A.S. Saravana Karthik Sha** reported in **2022 LiveLaw (SC) 627.** Therefore, it is prayed that the case pending before the Family Court, Raigarh be transferred to Pendra Road.

3. Learned counsel appearing for the respondent/husband opposes the submission advanced by learned counsel for the petitioner/wife and submits that no sufficient cause has been shown seeking such a relief of transfer. He submits that this petition has been filed by the petitioner just to delay the divorce proceedings.

4. Heard learned counsel for the parties and perused the records.

5. After perusal of the records, considering the submission made and in view of the decision of the Supreme Court in the matter of **Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi** reported in **(2005) 12 SCC 237** and in **NCV Aishwarya v. A.S. Saravana Karthik Sha reported in 2022 LiveLaw (SC) 627,** this Court is inclined to allow the petition.

6. Accordingly, this petition is allowed. It is directed that the Case No.91A/2026 (Vikas Shukla Vs. Madhuri Tiwari) pending before the Family Court,

Raigarh, District - Raigarh (C.G.) is transferred to the Court of Additional Sessions Judge, Pendra Road (C.G.). Parties are now directed to appear before the Additional Sessions Court, Pendra Road on **10.12.2026**. In case respondent-husband fails to appear in the Court of Additional Sessions Judge, Pendra Road on that day, learned Judge presiding over the said Court may issue notice to him for a date to be fixed by it.

7. The learned Family Court, Raigarh is directed to transmit the entire record of the case to the Court of Additional Sessions Judge, Pendra Road, Chhattisgarh forthwith.

Sd/-

(Sachin Singh Rajput)
Judge

Deepti

DEEPTI HARIKUMAR
Digitally signed by DEEPTI HARIKUMAR
Date: 2026.10.29 11:09:25 +0530