HC-KAR

NC: 2026:KHC:60407
CP No. 301 of 2026

CNR: KAHC010592602026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CIVIL PETITION NO.301 OF 2026

BETWEEN:

SMT. SAVITHA V JAIN
W/O VIKRAM KUMAR A JAIN
AGED ABOUT 39 YEARS,
C/O SHA PRAGMAL RAMJI,
COTTON MERCHANTS,
RAILWAY STATION ROAD,
HAVERI - 581 110.

...PETITIONER

(BY SRI R.P.MUNJOJI, ADVOCATE FOR
SRI MAHESHIAH RUDRAYYA HIREMATHAD, ADVOCATE)

AND:

SRI VIKRAM KUMAR A JAIN
S/O ASHOK KUMAR JAIN,
AGED ABOUT 44 YEARS,
R/AT 3RD CROSS, O S M ROAD,
BHUTHANAGUDI, OLD TOWN,
BHADRAVATHI - 577 235.

...RESPONDENT

(RESPONDENT - NOTICE SERVED AND UNREPRESENTED)

Digitally signed by ANUSHA V
Location: High Court of Karnataka

THIS CP IS FILED UNDER SEC.24 OF CPC., PRAYING TO TRANSFER THE PETITION FILED BY THE RESPONDENT IN MC NO.52/2025 FROM THE FILE OF LEARNED PRL. SENIOR CIVIL JUDGE AND JMFC, AT BHADRAVATHI TO FAMILY COURT, AT HAVERI, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR *ADMISSION*, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Seeking for transfer of proceedings in MC no.52/2025 from file of Principal Senior Civil Judge and JMFC, Bhadravathi, (‘***Transferring Court***’) to Family Court at Haveri (‘***Transferee Court***’), this petition is filed.

2. Sri R.P. Manjoji, learned counsel appearing for Sri M.R. Hiremathad, advocate for petitioner submitted that marriage of petitioner and respondent was solemnized on 15.01.2012 at Haveri and marriage was registered before Sub-Registrar, Bhadravathi on 31.08.2012. After marriage, petitioner and respondent resided together at Bhadravathi and led marital life, in course of which, two children were born. Due to subsequent matrimonial discord, she was constrained to go back to her parents along with children at Haveri. It was submitted that petitioner was without any source of income and maintenance and filed Crl.Misc. no.157/2025 before Family Court at Haveri for maintenance.

3. She also filed Crl.Misc. no.222/2025 on file of Principal Civil Judge and JMFC, Haveri under provisions of

Protection of Women from Domestic Violence Act, 2005 ('**DV Act**'). In meanwhile respondent had filed MC no.52/2025 before *Transferring Court*. It was submitted that petitioner was finding it difficult to travel from Haveri to Bhadravathi and contest said proceedings. Whereas respondent was appearing in matters at Haveri. Therefore, not only on ground of convenience but also for consolidation of proceedings between parties at one place, petition was required to be transferred. On said grounds sought for allowing petition.

4. Respondent is served with notice, but unrepresented.

5. Heard learned counsel, perused petition and material on record.

6. This petition is by wife for transfer of proceedings in MC no.52/2025 from file of Principal Senior Civil Judge and JMFC, Bhadravathi to Family Court at Haveri.

7. Hon'ble Supreme Court in cases of **Sumita Singh v. Kumar Sanjay & Anr.**, reported in **(2001) 10 SCC 41**; **Rajani Kishor Pradeshi v. Kishor Babulal Pardeshi**, reported in **(2005) 12 SCC 237** and **NCV Aishwarya v. AS**

Saravana Karthik Sha, reported in **(2022) SCC OnLine SC 1199**, has held that in case of a petition for transfer of matrimonial proceedings filed by wife, her convenience would be primary consideration. Besides above, proceedings for maintenance as well as protection under DV Act are pending before Court at Haveri. In view of above, not only on ground of convenience but also for consolidation of proceedings between parties at one place, petition would succeed.

8. Hence, petition is ***allowed,*** proceedings in MC no.52/2025 pending before Principal Senior Civil Judge and JMFC, Bhadravathi stands withdrawn and ***transferred*** to Family Court at Haveri.

Transferee Court is directed to expedite proceedings.

Sd/-
(RAVI V HOSMANI)
JUDGE

GRD
List No.: 1 Sl No.: 24