



2026:CGHC:15627

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**TPC No. 10 of 2026**

Smt. Anjali Agrawal D/o Ajay Agrawal W/o Rupesh Agrawal Aged About 30 Years R/o Village- Reda. Tahsil Sarangarh, District- Sarangarh-Bilaigarh (C.G.)

... **Petitioner****versus**

Rupesh Agrawal S/o Sajjan Agrawal Aged About 32 Years R/o Behind Janki Dharamshala, Kharsia, Tehsil And District- Raigarh (C.G.).

... **Respondent**

(Cause-title taken from the Case Information System)

For Petitioner	:	Ms. Pragati Pandey, Advocate.
For Respondent	:	Mr. Amit Sharma, Advocate

Hon'ble Shri Bibhu Datta Guru, Judge
Judgment on Board**06/04/2026**

1. By this petition, the petitioner is seeking the transfer of case bearing Civil Suit No.A/211/2024, pending before the Family Court, Raigarh to the Court of District & Additional Sessions Judge, Sarangarh, Revenue Dist: Sarangarh-Bilaigarh.
2. Learned counsel for the petitioner submits that the marriage between the parties was solemnized on 06.07.2022. With the passage of time, the behavior of the respondent/husband towards the petitioner/wife changed, and the respondent's family members began subjecting the petitioner to physical and mental cruelty by



raising demands for dowry and household articles. Learned counsel submits that the father of the petitioner tried to manage the matrimonial life of the petitioner through social meeting, but the behavior of the respondent never changed. At present, the petitioner is living with her parents at village Reda, District Sarangarh. Learned counsel submits that the petitioner has filed an application under Section 9 of the Hindu Marriage Act, registered as Civil Suit No. A/55/2024, before the District and Additional Sessions Judge, Sarangarh and the petitioner has also filed a Criminal Case No. 2402/2024 pursuant to an FIR registered under Sections 85 and 3(5) of the BNS, 2023. Learned counsel further submits that it will be inconvenient for her to attend the proceedings of before the learned Family Court, Raigarh, C.G. on the scheduled dates of hearing. Such travel imposes severe hardship upon the petitioner, therefore, the petition filed by the petitioner may be allowed.

3. Learned counsel for the respondent opposes the prayer made in the petition and submits that that the respondent would also suffer hardship and inconvenience in the event the case is transferred as prayed for by the petitioner, as he would be required to travel from Kharsia, District:Raigarh to Sarangarh to attend the proceedings on each date of hearing. Learned counsel further submitted that mere inconvenience cannot be a ground for allowing a transfer petition.
4. I have heard learned counsel for the parties, perused the pleadings and documents appended thereto.
5. In the matter of **N.C.V. Aishwarya Vs. A.S. Saravana Karthik (2022 SCC Online SC 1199)** the Hon'ble Supreme Court has



observed that generally it is wife's convenience which must be looked at while considering transfer. The relevant portion of the aforesaid judgment is reproduced hereunder:-

"9. The cardinal principle for exercise of power under section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or other proceeding. In matrimonial matters, wherever Courts are called upon to consider the plea of transfer, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Given the prevailing socio-economic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer.

10. Further, when two or more proceedings are pending in different Courts between the same parties which raise common question of fact and law, and when the decisions in the cases are interdependent, it is desirable that they should be tried together by the same Judge so as to avoid multiplicity in trial of the same issues and conflict of decisions."

6. Having regard to the submissions of learned counsel for the petitioner and in view of the aforesaid principles, this Court is inclined to allow the prayer made by the petitioner.
7. Consequently, the Transfer Petition is **allowed** and it is ordered that case bearing Civil Suit No. A/211/2024 which is pending before the learned Family Court Raigarh be transferred to the Court of District & Additional Sessions Judge, Sarangarh, Revenue District: Sarangarh-Bilaigarh C.G. for its trial/disposal in accordance with



law.

8. Further, the respondent/husband would be at liberty to participate in the proceedings through video conferencing/virtually unless otherwise directed by the concerned Court.
9. Both the parties are directed to remain present before the learned Family Court Sarangarh, Dist:Sarangarh-Bilaigarh, C.G. on

05.05.2026.

SD/-

(Bibhu Datta Guru)
Judge

Amardeep