



CGHC010040242026



2026:CGHC:31302

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****TPC No. 16 of 2026**

Sadaf Khan W/o Shahrukh Khan, D/o Moh. Qayyum Khan Aged About 29 Years R/o Sadar Road Barejpara, Thana And Tahsil - Ambikapur, District Surguja Chhattisgarh (Note - District Name Is Wrongly Mentioned In Memo Of Divorce Application)

... Petitioner**versus**

Shahrukh Khan S/o Firoz Khan Aged About 30 Years R/o Safdar Aziza Manzil House No. 11, Near Garden Of Rohini Vihar Phase-2 Bilaspur, Thana Civil Line, Tahsil And District - Bilaspur Chhattisgarh

... Respondent

For Petitioner	:	Mr. Rohan Sahu, Adv. On behalf of Mr. AK Yadav, Adv.
For Respondent	:	Mr. Tessy Abraham, Advocate

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****22.07.2026**

1. The petitioner/wife has preferred this transfer petition under Section 24 of the Civil Procedure Code, 1908 (henceforth 'CPC') for transfer of Case No.27-A/2025 (Shahrukh Khan vs. Sadaf Khan) pending before Principal Judge, Family Court, Bilaspur Distt. Bilaspur (CG) to Principal Judge, Family Court Ambikapur (CG).
2. Learned counsel for the petitioner submits that marriage of petitioner/wife was solemnized with the respondent/husband on 18.01.2022 according to the Muslim rituals. It is submitted that after few months of the marriage, due to non-cordial relation between the petitioner/wife and respondent/husband, the petitioner

left the matrimonial house and has since been residing at Bemetara, where she is employed as teacher in a private school. However, her parents are living in Ambikapur. He further submits that respondent/husband filed divorce petition bearing Case No.27A/2025 before the Family Court, Bilaspur, therefore, it is prayed that aforesaid divorce case may be transferred to Family Court Ambikapur.

3. The respondent has filed his reply. Referring to the reply, learned counsel for the respondent submits that the petitioner/wife has left the matrimonial house without any sufficient cause, It is further submitted that the petitioner lodged FIR against the respondent and his family members for the offence under Section 498A IPC in Police Station Ambikapur, which was subsequently quashed by the learned Division Bench vide Order dated 07.01.2026 passed in CrMP No.2846/2024 . He further submits that the petitioner has also filed application under Section 125 CrPC before the Family Court, Ambikapur, which she later withdrew. According to the respondent, these facts demonstrate that the petitioner voluntarily left the company of the respondent without any justifiable reason. It is also submitted that though the petitioner is presently employed at Bemetara, she has sought transfer of the divorce proceedings to Ambikapur only to harass the respondent. It is contended that Bilaspur is nearer place to Bemetara than Ambikapur. Hence, it is prayed that the transfer petition may be rejected.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. It is well settled that in the matrimonial proceedings, the convenience of the wife must be looked into, however, in the facts of the instant case, it is evident that FIR lodged by the petitioner against her husband and family members has already been quashed, maintenance application filed by the petitioner has been withdrawn by her and she is working on the post of teacher in private school in Bemetara. IN these circumstances, Bilaspur is comparatively more convenient and nearer to Bemetara than Ambikapur.

6. Having considered the aforesaid facts, this Court is not inclined to allow the instant transfer petitioner, and the same is accordingly dismissed.

7. In view of above order, pending interim application(s), if any, stands disposed of. No order as to costs.

Sd/-
(Naresh Kumar Chandravanshi)
Judge