



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

CIVIL PETITION NO. 451 OF 2025

BETWEEN:

SMT MALLAMMA T BULLA,
D/O TIPPANNA BULLA,
AGED ABOUT 44 YEARS,
RESIDING AT H.NO.2-308, JAGAT ROAD,
NEAR AKKAMAHADEVI TEMPLE,
JAGAT, KALABURAGI- 585 105.

...PETITIONER

(BY SMT. MANASA H. S., ADVOCATE FOR
SRI. AJAY J NANDALIKE., ADVOCATE)

AND:

SRI RAVEENDRA BYATANAL,
S/O B V SHAMUKHAPPA,
AGED ABOUT 47 YEARS,
RESIDING AT NO.56, 19TH MAIN,
2ND BLOCK, RAJAJINAGAR,
BENGALURU - 560 010

AND ALSO RESIDING AT NO.232,
NANJUNDESHWARA, 1ST CROSS ROAD,
SHARADA COLONY, BASAVESWAR NAGAR,
BANGALORE - 560 079.

...RESPONDENT

(BY SRI. ANIL SHEKAR K.S., ADVOCATE)

THIS CP IS FILED U/S.24 OF CPC PRAYING TO TRANSFER
M.C.NO.5878/24 PENDING ON THE FILE OF THE HONBLE VI
ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU

Digitally signed
by
PADMASHREE
SHEKHAR DESAI
Location: High
Court of
Karnataka



TO THE HONBLE COURT OF THE PRINCIPAL FAMILY JUDGE,
KALABURAGI.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL ORDER

This Civil Petition is filed by the petitioner/wife for transfer of M.C.No.5878/2024, filed by the husband for divorce before the Court of VI Additional Principal Judge, Family Court, Bangalore, to the Court of Principal Family Court, Kalaburagi.

2. Learned counsel for the petitioner stated that her marriage with the respondent was solemnized in the year 2023, and she is a permanent resident of Kalaburagi, residing with her ailing mother and earning a meagre income. It is further stated that she is working as an announcer in All India Radio and getting meagre income.

3. The petitioner has stated in the petition that she is ready and willing to rejoin the respondent. Accordingly, both parties were referred to mediation, but the mediation was failed. It is also stated that the distance between Kalaburagi and Bangalore is about 630 kilometres. The petitioner has



stated that she has never travelled alone without being accompanied by her parents before the marriage and by her husband after the marriage. As such, it is difficult for her to travel to a metropolitan city like Bangalore and she cannot leave her ailing mother alone and travel.

4. In the objections filed by learned counsel for the respondent stated that the parties last resided together at Bangalore. As such, he has filed M.C.No.5878/2024 for divorce before the Court at Bangalore. It is further contended that Kalaburagi and Bangalore are well connected by rail, road, and other modes of transport and the petitioner's presence is not required before the Family Court on every date of hearing. She can give her evidence on one date and cross-examination on another date of hearing. The respondent has also stated that he is willing to bear her travel expenses for two dates of hearing and she can also appear through video conferencing. The respondent has relied upon the judgment in **Priyanka Batra Vs. Banish Batra**¹ wherein it was held that the petitioner/wife was unemployed, had no source of income and

¹ (2005) 12 SCC 236



never travelled alone, but the husband's willingness to bear all travel and stay expenses of the petitioner and her companion was taken into consideration and accordingly, the transfer application was dismissed. He has also relied upon the judgment in ***Anindita Das Vs. Srijit Das***², wherein the wife filed transfer on the ground of difficulty in attending the Court at Delhi as she had a six years child. But the Court observed that she cannot take an exemption from attending the Court on a particular ground and accordingly dismissed the transfer petition. It was further observed that the leniency to ladies shown by Court in such transfer matters often misused and advantage taken by women. It was also stated that grandparents are available to look after the child and the respondent is willing to bear all expenses for the travel and stay of the petitioner and her companion on every visit.

5. The petitioner herein is aged 44 years and is working, earning and residing at Kalaburagi with her mother. She requested for transfer of the case filed by her husband from Bangalore to Kalaburagi, which is at a distance of 630

² (2006) 9 SCC 197



kilometres. But the respondent has stated that he is ready to bear her travel expenses. Admittedly, the petitioner can file her chief affidavit and attend the Court only for cross-examination. she can be cross-examined either through Commissioner or through video conferencing facility. Therefore, this Court finds it just and reasonable to direct the Family Court not to insist upon her personal appearance unless there is any requirement by the Court. Whenever she is required to appear before the Court, the travel and stay expenses of the petitioner and her companion shall be paid by the husband/respondent.

With these directions, the civil petition stands ***dismissed.***

In view of the disposal of the main petition, I.A. filed for stay is closed.

Sd/-
(P SREE SUDHA)
JUDGE

AMA
List No.: 1 Sl No.: 37