



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF APRIL, 2026
BEFORE
THE HON'BLE MRS JUSTICE GEETHA K.B.
CIVIL PETITION NO. 100007 OF 2026 (-)

BETWEEN:

POOJA W/O. VINAYAK AMROLKAR
C/O. RAJU SHIVAJIRAO INGALE,
AGE: 32 YEARS, OCC: HOUSEHOLD,
R/O. BINDER GALLI, 2ND CROSS,
NEAR KAREMMA TEMPLE,
GANESH PETH, TQ: HUBBALLI,
DIST: DHARWAD, KARNATAKA-580021.

...PETITIONER

(BY SRI. VINAYKUMAR.M.SHETTY, ADVOCATE)

AND:

VINAYAK ASHOK AMROLKAR
S/O. ASHOK AMROLKAR,
AGE: 36 YEARS,
OCC: PRIVATE SERVICE,
R/O. MALAPRABHA NAGAR,
M. VADGAON, TQ AND DIST: BELAGAVI-590001

...RESPONDENT

(BY SRI.MAHANTESH.S.HIREMATH, ADVOCATE)

THIS CIVIL PETITION FILED UNDER SECTION 24 OF CPC,
PRAYING TO WHEREFORE THE PETITIONER MOST RESPECTFULLY
PRAYS THAT THIS HONBLE COURT BE PLEASED TO TRANSFER THE
MC. NO.310/2025 PENDING ON THE FILE HON'BLE THE I ADDITIONAL
PRINCIPAL JUDGE, FAMILY COURT, AT BELAGAVI, TO THE PRINCIPAL
FAMILY COURT, HUBLI IN THE INTEREST OF JUSTICE.

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



CORAM: THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL ORDER

Heard arguments of both sides.

2. The petitioner-wife has filed this petition under Section 24 of C.P.C. praying for transfer of M.C.No.310/2025 pending on the file of I Additional Principal Judge, Family Court, Belagavi to Principal Judge, Family Court, Hubballi.

3. It is stated in the petition that marriage of petitioner and respondent was solemnized on 12.12.2018 in Banashankari Mandi Karyalay, Uppar Galli, Khasbag, Belagavi as per the customs prevailing in their community. Respondent has filed M.C.No.310/2025, which is pending on the file of I Additional Principal Judge, Family Court, Belagavi. Petitioner is residing with her parents at Hubballi and completely dependent on her parents for financial support. She has no independent source of income. It is inconvenient for petitioner to travel from Hubballi to Belagavi for each and every hearing date, which is at the



distance of 94 kilometer. Hence, prayed for allowing the petition.

4. Learned counsel for respondent has filed objections to the petition, wherein he contended that respondent has filed petition under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights, which was allowed, but petitioner has not joined the company of respondent. Then, he has filed M.C.No.310/2025 for divorce. In that case, petitioner remained absent and when it was posted for evidence, she has filed the present petition without any grounds. She has voluntarily deserted the respondent. Hence, prayed for dismissal of the petition.

5. Having heard the arguments of both sides and verifying the petition papers along with objections of the respondent, the point that arises for consideration is:

"Whether transfer of M.C.No.310/2025 from the I Additional Principal Judge, Family Court, Belagavi to Principal Judge, Family Court, Hubballi is required?"



6. The finding of this Court on the above point is in **AFFIRMATIVE** for the following:

REASONS

7. The respondent has filed M.C.No.310/2025, which is against the petitioner praying for divorce which is pending on the file of I Additional Principal Judge, Family Court, Belagavi. After filing the petition, notice was issued to present petitioner, who appeared on 18.10.2025 and the matter was posted for conciliation. As conciliation was failed, it was posted for objection statement. Afterwards, the present petition is filed seeking transfer. Thus, at the initial stage itself the petitioner has filed the present petition.

8. Always, in the matrimonial disputes, the place which is convenient to wife shall be the paramount consideration. In this regard this Court relies on the judgment of Hon'ble Apex Court in Civil Appeal



No.4894/2022 (arising out of SLP(C) No.16465/2021,
wherein at para No.9 it is held as follows:

"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 socioeconomic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer."

9. Respectfully relying on the aforesaid citation, this Court holds that the convenience of wife shall be the paramount consideration while dealing with transfer of matrimonial cases. Hence, transfer of M.C.No.310/2025 from I Additional Principal Judge, Family Court, Belagavi to Principal Judge, Family Court, Hubballi is required.



Accordingly, the point under consideration is answered in
AFFIRMATIVE.

10. In view of the above discussion, this Court proceeds to pass the following:

ORDER

Petition filed under Section 24 of C.P.C. is allowed.

M.C.No.310/2025 pending on the file of I Additional Principal Judge, Family Court, Belagavi is withdrawn and transferred to the Principal Judge, Family Court, Hubballi.

Both parties are hereby directed to appear before the Principal Judge, Family Court, Hubballi on 11.06.2026 without court notice.

Both parties are hereby directed to co-operate with the Court for expeditious disposal of the case.

**Sd/-
(GEETHA K.B.)
JUDGE**