



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

CIVIL PETITION NO.200082 OF 2025

BETWEEN:

BHAGYASHREE
W/O PRAVEEN KANDAGAL,
AGE: 34 YEARS,
OCC: GOVT. SERVANT,
R/O NAGANALLI,
TQ. AND DIST. KALABURAGI-585102.

...PETITIONER

(BY SRI GURURAJ V. HASILKAR, ADVOCATE)

AND:

PRAVEEN S/O LAXMAN KANDAGAL,
AGE: 37 YEARS, OCC: PVT. JOB,
R/O NARASALAGI,
TQ. BASAVAN BAGEWADI,
DIST. VIJAYAPURA-586203.

...RESPONDENT

(BY SRI AJAY JAWALI, ADVOCATE)

THIS CIVIL PETITION IS FILED UNDER SECTION
24(I) (A) OF THE CPC, PRAYING TO TRANSFER THE G AND

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Location: HIGH
COURT OF
KARNATAKA



WC NO.55/2025 BEFORE THE COURT OF THE SENIOR CIVIL JUDGE AND JMFC COURT, BASAVA BAGEWADI, DIST.VIJAYAPURA AT BASAVAN BAGEWADI TO PRL. JUDGE, FAMILY COURT AT KALABURAGI FOR BETTER ADJUDICATION AND TO REACH THE ENDS OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

Heard learned counsel for the petitioner and learned counsel for the respondent.

2. This petition is filed by the wife seeking transfer of guardianship and wards case in G and WC No.55/2025, pending before the Senior Civil Judge and JMFC Court, Basavana Bagewadi to the Principal Judge, Family Court, Kalaburagi.



3. It is the contention of the learned for the petitioner that the petitioner is the divorced wife of the respondent and their marriage was solemnized on 03.12.2017 at Basaveshwar Kalyan Mantap, Basavan Bagewadi, District Vijayapur. They led marital life for 4 to 5 years. Due to wedlock, they are blessed with two children. Due to certain difference of opinion between them, they filed mutual consent divorce petition in M.C. No.220/2024, which came to be allowed on 17.08.2024.

4. It is the contention of the learned counsel for the petitioner that the respondent falsely stated in the G and WC No.55/2025 that at the time of filing the mutual divorce, petitioner/wife agreed to let the elder daughter and younger one to reside with respondent/husband and also assured the respondent to visit her house to meet the children for good relation with them. It is also contended that respondent falsely stated that the petitioner changed her attitude by not allowing him to meet his children. After divorce, respondent married Pallavi of Bisanal village.



The respondent has filed G and WC case only with an intention to harass the petitioner. She is a Government employee, working in FSL department at Naganalli. The elder daughter of the petitioner is studying at Kalaburagi. If the G and WC case is not transferred to the Court at Kalaburagi, more hardship and inconvenience would be caused to the petitioner. Hence, on these grounds, he prays to allow the petition.

5. *Per contra*, learned counsel appearing for the respondent contends that the distance is not much from Kalaburagi to Basavana Bagewadi and contends that no harm or difficulty would be caused to the petitioner in attending the Court proceedings at Basavana Bagewadi. Hence, he seeks dismissal of this petition.

6. Having heard learned counsel for both the parties, it is apparent that the petition filed by the husband/respondent is pending before the Senior Civil Judge and JMFC Court at Basavana Bagewadi. The



petitioner is a Government servant at Kalaburagi and her elder daughter is also studying at Kalaburagi. Therefore, there would be difficulty for her to attend the Court at Basavana Bagewadi. It would not be difficult for the respondent to attend the Court at Basavana Bagewadi. The Hon'ble Apex Court in catena of judgments has held that when the matrimonial proceedings are sought to be transferred from one place to another at the instance of the wife, generally it should be allowed at the behest of the wife, taking into consideration, of course, the distance, the hardship and the difficulty that would be faced by the wife and if any other co-ordinate petition is pending, where the husband has to travel to the place of the wife, then it would be prudent to transfer the petition to the place where the wife is residing, where another petition is initiated by the wife against the husband. Accordingly, I proceed to pass the following:

ORDER

- (a) The Civil Petition is allowed.



(b) G and WC No.55/2025, pending on the file of the Senior Civil Judge and JMFC Court, Basavana Bagewadi is transferred to the Principal Judge, Family Court, Kalaburagi.

Ordered accordingly.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RSP
LIST NO.: 3 SL NO.: 15
CT: SI