

(2011) 02 GUJ CK 0052
In the Gujarat High Court

Case No : Misc.Civil Application for Transfer No. 3061 of 2010

Bhavnaben Sumeshkumar Patel

APPELLANT

Vs

Sumeshkumar Chimanlal Patel

RESPONDENT

Date of Decision : 09-02-2011

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Section 24

Citation : (2011) 02 GUJ CK 0052

Hon'ble Judges : Mukesh R. Shah, J

Bench : Single Bench

Advocate : Meena Vyas, for the Appellant; Rule Served, for the Respondent

Final Decision : Dismissed

Judgement

M.R. Shah, J.—The present application has been preferred by the applicant-wife u/s 24 of the CPC for transfer of Hindu Marriage Petition No. 761/2010 filed by the opponent pending in the Court of learned Family Court, Ahmedabad to the Court of learned Civil Judge (Senior Division), Kalol, District Gandhinagar.

2. Though served, nobody appears on behalf of the opponent-husband. Considering the difficulty and the inconvenience to be faced to the applicant in attending the proceedings at the learned Family Court, Ahmedabad as the applicant is having six year minor child and she is not in a position to attend the proceedings at learned Family Court, Ahmedabad frequently and/or it will cause inconvenience to her, the present application is allowed. As stated hereinabove, though served, nobody appears on behalf of the opponent.

3. In view of the above and for the reasons stated hereinabove, the present application succeeds. The proceedings of Hindu Marriage Petition No. 761/2010 pending in the Court of learned Family Court, Ahmedabad is hereby ordered to be transferred to the Court of learned Civil Judge (Senior Division), Kalol, District Gandhinagar. The learned Family Court, Ahmedabad is hereby directed to see that the aforesaid proceedings are transferred to the concerned Court as stated

hereinabove at the earliest.

4. With this, the present application is allowed. Rule is made absolute accordingly. No cost.