

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C407 No. 19 of 2022 <u>Hon'ble Manoj Kumar Tiwari, A.C.J.</u></p> <p>Ms. Unnati Pant, Advocate for the applicant.</p> <p>2. Mr. Rakesh Kumar Joshi, Brief Holder for the State of Uttarakhand/respondent no. 1.</p> <p>3. Respondent no. 2 has filed an application seeking maintenance against the applicant, under Section 125 CrPC, which is pending before Family Court, Kashipur, District Udham Singh Nagar and is registered as Family Case No. 181 of 2019.</p> <p>4. By means of this application, applicant has sought transfer of the said case from Family Court Kashipur to Family Court, Rudrapur on the ground that since respondent no. 2 resides at Jaspur, which is close to Kashipur, therefore, respondent no. 2 or her family members may cause harm to the applicant whenever he visits Kashipur for appearing before the court concerned. However, no material has been brought on record to show that the threat perceived by applicant is real and not imaginary.</p> <p>5. Since respondent no. 2 is resident of Jaspur, which is at a distance of more than 20 kilometres from Kashipur, therefore, the maintenance application filed by her cannot be transferred to Rudrapur, on applicant's request, which is more than 75 kilometres away from Jaspur.</p>

			<p>6. Since applicant has sought transfer merely based on apprehension, therefore, this Court is not inclined to grant prayer for transfer made by the applicant.</p> <p>7. Accordingly, Transfer Application is rejected.</p> <p>(Manoj Kumar Tiwari, A.C.J.) 30.11.2023</p> <p>Navin</p>
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