

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3410 of 2014

IN

Matrimonial Reference No. 351 of 2012

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Manisha Kumari @ Manisha W/o Ravi Kishore Chaudhary & D/o Bihari Lal Prasad R/o Mohalla - Chabal Bazar Raxaul, P.O. & P.S. Raxaul, District - East Champaran (Motihari)

.... Petitioner

Versus

Ravi Kishore Chaudhary S/o Yugal Kishore Chaudhary R/o Mohalla - New Colony Balughat, P.O. Head Post office, P.S. Town, District - Muzaffarpur

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 26-11-2015

Heard the parties.

In this case, the petitioner is making prayer for transferring the Matrimonial Case No. 351 of 2012 from the Court of Principal Judge, Family Court, Muzaffarpur to the Court of Principal Judge, Family Court, East Champaran at Motihari.

From the pleadings, it appears that the marriage was solemnized on 09.03.2008 and from that wedlock couple is blessed with one male child. As relationship continued not in very cordial manner which led to filing of the application for separation.

The Counsel for the petitioner submits that she is a lady and it is very difficult for her to appear on each and every date from Motihari

to Muzaffarpur whereas it will be too inconvenient for the opposite party to participate at Motihari as the male child is living with her.

This Court is not hearing the case on merit. However, looking into the facts and the attending circumstances, let the Matrimonial Case No. 351 of 2012 be transferred to the Court of Principal Judge, Family Court, Motihari. The Principal Judge, Family Court, Muzaffarpur is directed to transfer the record of the case forthwith to the Court of Principal Judge, Family Court, Motihari and the court below is directed to dispose of the matter within nine months, subject to the condition of parties extending the co-operation in disposal of the case.

The Counsel for the opposite party submits that wife has filed a maintenance case against the opposite party and it will be convenient for him that both the cases should be heard on the same date. The opposite party will have liberty to file such an application before the court below and the court below will pass the necessary order.

Accordingly, the petition is allowed.

(Shivaji Pandey, J)

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