

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1461 of 2014

In
Matrimonial Reference No. 4 of 2013

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Nita Kumari W/o Rajeev Kumar Singh and daughter of Nand Kumar Roy,
Resident of Shivkund, P.O.-Shivkund, P.S.-Dharahra, District-Munger.

.... Petitioner/s

Versus

Rajeev Kumar Singh S/o Naveen Prasad Singh Resident of Village-Farreh,
P.O.-Farreh, P.S.-Chautham, District-Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Fasihur Rahman Mallick

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 17-09-2015 Heard learned counsel for the petitioner as well as

learned counsel for the opposite party.

In this case the petitioner is praying for transferring
the Guardianship Case No.4 of 2013 from the learned Principal
Judge, Family Court, Khagaria to the learned Principal Judge,
Family Court, Munger.

It is submitted on behalf of the petitioner that earlier
in Misc. Case No.29 of 2014 the respondent had filed a petition.
He had obtained order dated 2.1.2014 wherein he had given
undertaking that he would withdraw the Guardianship case and
also filed mutual application for divorce and later on he had
revived the Guardianship case and he has been harassing her.

Counsel for the opposite party submits that it is not difficult for the petitioner to attend the case at Khagaria. There is no need to transfer the case from Khagaria in order to harass the husband.

Looking to the facts and circumstances of the case and since the matter relates to guardianship already a divorce petition is pending before the Principal Judge, Family Court, Munger, both the cases should be heard by the same Principal Judge, Family Court in order to avoid the conflict of judgment.

In such view of the matter, let the Guardianship case No.4 of 2013 is transferred from the Principal Judge, Family Court, Khagaria, to the Principal Judge, Family Court, Munger.

This application is, accordingly, allowed.

(Shivaji Pandey, J)

AnilKrSinha/-

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