

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2540 of 2013

In
Matrimonial Reference No. 80 of 2012

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Jaya Kumari, Daughter of Baidyanath Prasad, Resident of Veena Sadan,
Sundar Nagar, Bhushaila, Danapur, P.S. Fulwari Sharif, District Patna.

.... Petitioner

Versus

Mahesh Prasad Srivastava, Son of Late Laxshman Prasad, Resident of
Village Jugamliya, P.S. Krishna Garh, District Bhojpur (Ara).

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dharendra Kumar, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 28-04-2015

In the present application the petitioner is seeking
of transfer of Matrimonial (Restitution) Case No. 80 of 2012
filed under Section 9 of the Hindu Marriage Act, 1955 from
Principal Judge, Family Court, Bhojpur (Ara) to Principal
Judge, Family Court, Patna.

It has been claimed by the petitioner that she has
not entered into marriage with the opposite party and very
clandestinely and cleverly he prepared a certificate of marriage
with the petitioner.

The notice was issued to the opposite party by the
earlier order and the same has been affected upon the opposite
party but he has not taken care to participate in the proceeding.
In such view of the matter, as the petitioner is residing at Patna

and has challenged the factum of marriage itself but on the other hand opposite party has filed the restitution of conjugal right, for the ends of justice and for resolution of dispute, let the Matrimonial (Restitution) Case No. 80 of 2012 be transferred from Principal Judge, Family Court, Bhojpur (Ara) to Principal Judge, Family Court, Patna.

Accordingly, the petition is allowed. Let this order be communicated to the court concerned.

(Shivaji Pandey, J.)

Sanjay/-

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