

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1521 of 2015

In
Matrimonial Reference No. 374 of 2012

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Shiv Kalyan son of Nageshwar Thakur, resident of village+PS+PO-Kamtaul, District-Darbhangha.

..... Petitioner/s

Versus

Chanchala Kumari wife of Shiv Kalyan, daughter of Baidyanath Choudhary, resident of village +PO-Barari Behta, PS-Pupri, District-Sitamarhi at present residing at Sikhsa Lok High School, Singlyahi Road, PO-Janakpur Road, District-Sitamarhi.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranvijay Narain Singh

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 07-08-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The prayer has been made in this case to transfer the Matrimonial Case No. 374 of 2012 from Principal Judge, Family Court, Muzaffarpur to Principal Judge, Family Court, Patna.

From the record it appears that earlier MJC No. 3112 of 2009 was filed and the same was disposed of vide 3rd October 2012 whereby and whereunder this Court has directed, Matrimonial Case nos. 73 of 2009 and 32 of 2010 be accordingly transmitted from the respective Family Courts Darbhanga and Sitamarhi to the Family Court, Muzaffarpur.

Now the present application has been filed by the

petitioner to transfer the case from Muzaffarpur to Patna making allegation of bad behaviour meted to the petitioner by the opposite party and her family members.

The counsel for the petitioner has drawn attention of this Court to the letter dated 29/03/2010 where the present petitioner made a complaint to the court below about misbehavior inflicted to the petitioner by the opposite party and her family members to his sister who had gone to dispose in the case.

The allegation that has been made against the opposite party, is a very serious in nature. Order sheet of the court below of later date does not show, opposite party or her family members have misbehaved with petitioner in the manner threatening or any way causing harassment to the petitioner or creating any obstruction in the disposal of the aforesaid matrimonial cases.

It appears from the order sheet dated 23rd June 2014, one more witnesses have been examined without any disturbance.

In such view of the matter, it will not be in the ends of justice to transfer the case again from Family Court, Muzaffarpur as it will not serve any purpose rather it will cause for obstruction in the early disposal of the case.

The court below is directed to expedite the matter and

conclude the same on day to day basis within a period of six months from the date of receipt/production of a copy of this order.

Accordingly, this application is disposed of.

(Shivaji Pandey, J)

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