

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4315 of 2014
In
Matrimonial Reference No. 102 of 2014

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Smt. Resham Kumari wife of Chhotu Choudhari, daughter of Sri Suresh Choudhari, resident of village Kailu Chak, P.S. Masaurhi, District Patna.

.... Petitioner/s

Versus

Chhotu Choudhari son of Late Sadhu Choudhary, Resident of Hati Gopalpur, P.S. Kako, District Jehanabad. At present residing at 302/83, Farm Society Coper-Kheranea Sector-12, Plot No. 19, Near Tin Taki, Police Naka, Navi Mumbai 400709.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.K.Lal, Adv .
Mr. Pritish Kumar Lal, Adv.
For the Respondent no.2: Mr. M. Thakur, Adv.
Mr.A.K.Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 27-07-2015

Heard both the parties.

In this case, petitioner is seeking transfer of Matrimonial Case No.102 of 2014 from the court of Principal Judge, Family Court, Jehanabad to the court of Principal Judge, Family Court, Patna.

The O.P. has filed an application for divorce on various grounds. This Court is not required to deal with the case on merit but showing address of O.P. at Mumbai.

It has been submitted by the petitioner it is very difficult for her to attend the court at Jehanabad as she is a regular student of Dental College at the same time it will not be inconvenient to the O.P. to attend the case at Patna from Mumbai.

This Court is of the view that it will be convenient

not only for the petitioner but also for the O.P. to attend the court at Patna as there is direct route of train or air communication from Mumbai to Patna.

Counsel for the O.P. vehemently opposed the prayer stating that already a complaint case is pending at Jehanabad and when the petitioner is going to attend the court at Jehanabad, it will be convenient for her to attend this case also there.

In reply it is submitted that it is at the stage of enquiry. His deposition has been recorded and submitted that after taking cognizance she will file an application for transfer of the case from Jehanabad to Patna.

Having considered the address of O.P. that has been shown in this petition of Mumbai whereas it is very difficult for the petitioner to attend the case, especially she being a student of Dental College to attend the court at Jehanabad. In the ends of justice, keeping in view the convenience of both the parties, Matrimonial case No. 102 of 2014 is transferred from the court of Principal Judge, Family Court, Jehanabad to the court of Principal Judge, Family Court, Patna.

Accordingly, this petition is allowed.

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(Shivaji Pandey, J)