

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5137 of 2011

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Soni Devi wife of Awadhesh Kumar, D/o Vinod Kumar Yadav at present resident of village –Fazilpur Danda Bazar. PO-Danda Bazar, PS-Gouradih, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Respondent/s : Mr. Prabhakar Tekriwal, GA-1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 24-06-2015

Yesterday the case was listed but the counsel for the opposite party no. 2 was absent. The Court passed over the matter *suo motu*. Today he is again absent. The Court has no other alternative but to dispose of the matter on the basis of submission of the petitioner as well as the material available on record.

In the present case, a matrimonial case, vide Matrimonial Case No. 163 of 2011, has been filed for restitution of conjugal right before the Principal Judge, Family Court, Munger where the claim has been made that the petitioner is a lady, is living along with her parents at Bhagalpur and it will be very difficult for her to attend the court at Munger on the date fixed so in the interest of justice, it will be easy for her to participate in the court proceeding at Bhagalpur.

The opposite party is not coming forward to oppose

the prayer of the petitioner.

As the petitioner is a lady, it will be very difficult for her to attend the court periodically on the date fixed at Munger, in such view of the matter, Matrimonial Case No. 163 of 2011 pending before the Principal Judge, Family Court, Munger be transferred to the Principal Judge, Family Court, Bhagalpur.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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