

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.305 of 2017

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Nusrat Jahan

.... Appellant/s

Versus

Md. Rizwan Ahmad

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kedar Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

- 2 20-02-2017 1. Heard the learned counsel for the petitioner.
2. It appears that this application has been filed by the petitioner for transfer of Matrimonial Case No.350 of 2015 from the Principal Judge, Family Court, Muzaffarpur to the Principal Judge, Family Court, Darbhanga.
3. So far this part of the relief claimed by the petitioner is concerned, Civil Misc. application under Article 227 is not maintainable. Therefore, the petitioner is permitted to convert this Civil Misc. application to MJC application under Section 24 CPC with three weeks.
4. So far the other part of the relief, i.e., for issuance of a writ of certiorari to set aside all orders passed by learned Principal Judge, Family Court, Muzaffarpur in Divorce Case No.350 of 2015 is concerned, an application under Article 227 is not



maintainable.

5. It will not be out of place to mention that this proceeding under Article 227 is not a quashing proceeding and, therefore, now orders in the divorce case of the Principal Judge, Family Court cannot be passed.

6. Thus, that part of the relief is concerned, this Civil Misc. application is rejected.

(Mungeshwar Sahoo, J)

Sanjeev/-

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