

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1273 of 2014

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Alka Rani, Wife Of Sumit Kumar Singh, Resident Of Village Chandi
Asthan, P.S. Amas, District- Gaya At Present Residing At Village Kendui,
P.S.- Civil Lines, District- Gaya

.... Petitioner/s

Versus

1. Smt. Ramawati Devi, Wife Of Sri Sidheswar Prasad Singh.
2. Sri Sidheswar Prasad Singh Son Of Late Rambachan Singh.
Both Are Resident Of Chandi, Post Office- Nahari Chandi, P.S. Chandi,
District- Bhojpur
3. Senior Branch Manager, Life Insurance Corporation Of India Gaya-2,
Sawarajpuri Road, P.S.- Civil Lines, District- Gaya.

.... opposite party /s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath
For the opposite party/s : Mr. Dilip Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 23-01-2017 Heard Sri Shambhu Nath, learned counsel for the

petitioner, Sri Dilip Kumar Sinha , learned counsel who has

appeared on behalf of the opposite party no. 1 and 2 as well as

learned counsel who has appeared on behalf of the opposite party

no. 3 i.e. Senior Branch Manager, L.I.C. of India.

The petitioner, has approached this court under Section
24 of the Code of Civil Procedure with a prayer to direct for
transferring the Succession Case No. 01 of 2014 from the court of
Sub Judge, Bhojpur to Gaya .

A plea has been taken that the opposite party no. 1 and
2 are mother and father of one Kumar Gyanendra Bhardawaj



(deceased) . A succession case was filed in respect of a policy in which petitioner has claimed to be nominee. It has been pleaded that petitioner is the cousin sister of the deceased and being lady it would be difficult for her to participate in the succession case at Bhojpur from Gaya.

Learned counsel for the petitioner submits that petitioner's husband is employed in Delhi. This is one of the reason for seeking transfer whereas learned counsel for the opposite party no. 1 and 2 submits that opposite party no. 1 and 2 are mother and father of the deceased. They are old persons and for them it would be difficult to go and attend a proceeding outside Bhojpur. It has also been indicated that the petitioner is not first legal heir of the deceased.

Besides hearing learned counsel for the parties I have perused the materials available on record. Considering the fact that opposite party no. 1 and 2 are old person and they have filed succession case in respect of LIC Policy of their deceased son in Bhojpur Court it would not be justified to pass an order for transferring the record.

The petition stands dismissed.

(Rakesh Kumar, J)

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