

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2471 of 2016

=====

Khusboo Kumari wife of Nitish Pratap Palit and daughter of Suresh Chandra Prasad, resident of Village- Tarwan, P.S. Wazirganj, District- Gaya, presently residing at Mohalla- Purani Bazar, P.O., P.S. & District- Nawada.

.... Petitioner

Versus

Nitish Pratap Palit, son of Vijay Pratap Palit, resident of Village- Tarwan, P.S. Wazirganj, District- Gaya.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Gopal Bohra, Advocate.
For the Respondent : Mr. Ramashish, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-10-2017

The present petition has been filed for transfer of Matrimonial Suit No. 73 of 2014 from the Court of learned Principal Judge, Family Court, Gaya to the Court of learned Principal Judge, Family court, Nawada.

2. Learned counsel for the petitioner submits that the parties were married on 18.05.2013, but soon thereafter the petitioner was ill-treated by the opposite party and his family members who forced her to leave her matrimonial home with her small female child. Efforts of reconciliation have failed as the opposite party has not shown inclination to keep her at the matrimonial home.

3. It is further submitted that the petitioner is a poor



lady having no source of income and she is dependent on her father for her livelihood and would find it difficult to go to Gaya to contest the matrimonial suit.

4. Learned counsel for the opposite party, on the other hand, submits that the matrimonial case has been filed by him for restitution of conjugal rights and he is ready to keep the petitioner with due dignity and honour. It is further pointed out that the petitioner herself has filed Maintenance Case No. 61 of 2014 before the learned Principal Judge, Family Court, Gaya which is pending and she would have to attend the same by traveling to Gaya. Thus attending the subject matrimonial case at Gaya would not entail much difficulty for her. It is stated that the opposite party is ready and willing to pay the reasonable cost of traveling to and from Gaya to the petitioner as and when required.

5. Having heard the parties and on a consideration of the materials on record, this Court is of the view that the ends of justice will be met by directing the opposite party to make payment of Rs. 500/- on each date when the petitioner is required to attend the matrimonial case at Gaya, to cover the cost of traveling to and from Gaya as well as reasonable expenses. The learned Court below would ensure that the opposite party makes stipulated payment on each date to the petitioner when she appears before it.

6. With the above direction, the petition stands disposed



of.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.10.2017
Transmission Date	N.A.

