

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2964 of 2015

In

Matrimonial Reference No. 276 of 2015

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Shiv Kumar Sharma son of Late Baskit Sharma resident of village – Goraila, P.S. Naubatpur, District – Patna at present residing at LIG, Sector 6, East of Block 9, Near old Agamkuan Thana, P.S. Agamkuan, Patna.

.... Petitioner

Versus

Urmila Devi wife of Shiv Kumar Sharma resident of village – Goraila, P.S. Naubatpur, District – Patna at present residing at Maternal House Dr. Mahanand Singh Mohalla – Chakar Maidan Resh dorse Near Prapat Tara School, P.O. Pradhan Dak Ghar, P.S. Kazimuhamadpur, District Muzaffarpur.

.... Opp. Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
Smt. Usha Kumari Singh

For the Opp. Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 07-03-2017 Heard Sri Birendra Kumar, learned counsel assisted by Smt. Usha Kumari Singh, learned counsel for the petitioner.

The petitioner, husband of the opposite party, has approached this Court under Section 24 of the Code of Civil Procedure, 1908, with a prayer to direct for transferring Maintenance Case No. 276 of 2015 from the court of Principal Judge, Family Court, Muzaffarpur to Patna.

It was submitted by learned counsel for the petitioner that the 1st wife of the petitioner, who is opposite party, has filed the aforesaid maintenance case, as per instance of her brother only to harass the petitioner.



At the time of argument, it was accepted by learned counsel for the petitioner that during lifetime of 1st wife i.e. opposite party, the petitioner has solemnized second marriage without any decree of divorce.

Considering the fact that in a case, convenience of female is required to be noticed, there is no reason to entertain the prayer of husband i.e. petitioner for transferring the case.

Dismissed.

(Rakesh Kumar, J.)

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