

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3870 of 2016

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Sabita Devi Wife of Krishna Prasad Mandal, Daughter of Late Mahadeo Prasad Mandal, Resident of Village- Murli, P.O.- Bhawanipur, P.S. Gopalpur, District- Bhagalpur.

.... Petitioner

Versus

Krishna Prasad Mandal, Son of Late Bhaddo Mandal, Resident of Mohalla- Nayatola, Daheria, P.O. Daheria Mills, P.S. & District- Katihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate

For the Respondent :

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-10-2017

The present application has been filed for transfer of Matrimonial Case No. 13 of 2011 from the Court of learned Principal Judge, Family Court, Katihar to the Court of learned Principal Judge, Family Court, Bhagalpur.

2. Learned counsel for the petitioner submits that the petitioner is a poor lady having no independent source of income. The petitioner had earlier filed Divorce Case No. 37 of 2002 which remains pending. She has also filed Misc. Case No. 08 of 2013 under Section 127 Cr.P.C. for enhancement of maintenance amount, which is also pending at Bhagalpur.

3. Despite valid service of registered notice on the opposite party, appearance has not been entered nor is the opposite party represented when the matter is called.

4. Considering that two cases i.e. Divorce Case No. 37 of 2002 and Misc. Case No. 08 of 2013 instituted by the petitioner are already pending at Bhagalpur and that the petitioner is a poor lady having no independent



source of income, let Matrimonial Case No. 13 of 2011 pending in the Court of learned Principal Judge, Family Court, Katihar be transferred to the Court of learned Principal Judge, Family Court, Bhagalpur.

5. The petition stands allowed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	14.10.2017
Transmission Date	N.A.

