

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3126 of 2015

IN

Matrimonial Reference No. 309 of 2014

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Ruchika Chakravarti @ Ruchika Banarji Daughter of Ratan Chakravarti,
resident of Village- Murliganj, Post- Murliganj, Police Station- Murliganj in the
district of Madhepura.

.... Petitioner

Versus

Amit Banarji, Son of Late Utpal Banarji, resident of Purani Bazar, Ward No.2,
Narkatiyaganj, Police Station- Shikarpur, Post- Narkatiyaganj in the district of
West Champaran.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate.

For the Opposite Party : Mr. Rajeev Ranjan Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 24-11-2017

The present petition has been filed for transfer of
Divorce Case No. 309 of 2014 from the Court of learned Principal
Judge, Family Court, West Champaran at Bettiah to the court of learned
Principal Judge, Family Court, Madhepura.

2. Learned counsel for the petitioner states that she will
be put to great difficulty if she has to travel to Bettiah involving a
distance of more than 300 Kms., in order to contest the subject divorce
case. It is further submitted that three cases instituted by her for
cruelty, maintenance, and domestic violence are pending at
Madhepura.

3. Learned counsel for the opposite party relies on the
counter affidavit to submit that four witnesses have already been
examined in the divorce case and the opposite party has filed a petition



for closing the evidence of the prosecution witnesses, which has been allowed. Besides, it is further stated that the opposite party has genuine apprehension for his safety at Madhepura in the backdrop of past incidence in respect of which he has already filed Complaint Case No. 38/2016.

4. Having heard learned counsel for the parties and on a consideration of the materials on record, this Court is not inclined to interfere in the matter. The petitioner has pleaded difficulty of general nature in attending the divorce case at Madhepura. The petitioner has not set up a plea of financial constraint to travel to Bettiah nor that she is tied down with small child to take care of. The opposite party has filed Complaint Case No. 38/2016 alleging threat to his life at Madhepura. The facts in this regard as contained in the counter affidavit have not been controverted as no rejoinder thereto has been filed despite specific opportunity granted to the petitioner by order dated 16.11.2017.

5. The petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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