

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4908 of 2014

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Soni Gupta W/o Mr. Prashant Chandan & D/o Shambhu Prasad Gupta R/o
village- Harnaut, P.S.- Harnaut, District- Nalanda.

.... Petitioner/s

Versus

Mr. Prashant Chandan S/o Sri Bimal Kumar R/o Shri Nagar Road
(Opposite to Mahananda Colony), P.S. K. Hat, District- Purnia.

.... opposite party /s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the opposite party /s : Sri Amit Kumar Anand

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4 20-02-2017 Heard Sri Sanjay Kumar @ S.K., learned counsel for

the petitioner and Sri Amit Kumar Anand, learned counsel
appearing on behalf of the opposite party/ husband of the
petitioner.

The petitioner has approached this court under Section
24 of the Code of Civil Procedure, 1908, with a prayer to transfer
Matrimonial Case No. 220 of 2014 from the court of Principal
Judge, Family Court, Purnia to the court of Principal Judge,
Family Court, Nalanda at Biharsarif.

Brief fact of the case is that petitioner's marriage with
opposite party was solemnized on 12.12.2013 at Harnaut in the



district of Nalanda. It has been claimed that after marriage the petitioner was brought to the in-laws house at Purnia but subsequently on the pretext that she was having mental disorder she was dropped at her parents house and thereafter the petitioner noticed that her husband had filed the aforesaid Matrimonial Case for declaring the marriage as null and void on the plea that since prior to marriage she was mentally disordered. It has been pleaded by learned counsel for the petitioner that petitioner is having no such ailment and she after being dropped is living with her old parents at Nalanda at Biharsarif and she is not having any financial assistance so that she can properly appear in the Matrimonial Case.

Sri Anand , learned counsel for the opposite party submits that during pendency of this petition a complaint case was also filed by the petitioner against her husband and other family members however, subsequently, dispute in between the parties has already been settled. However, he has not disputed the fact that Matrimonial Case is still pending in the court at Purnia.

Considering the fact that petitioner is a lady and marriage was solemnized within the territorial jurisdiction of the court at Nalanda, the Court is of the opinion that it is a fit case for directing for transferring the record from Purnia to Nalanda at



Biharsarif. Accordingly , in view of the facts and circumstances, the present petition stands allowed. Let the record of Matrimonial Case No. 220 of 2014 be transferred from the court of Principal Judge, Family Court, Purnia to the Principal Judge, Family Court, Nalanda at Biharsarif forthwith.

The petition stands allowed.

(Rakesh Kumar, J)

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