

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2123 of 2014

In

Matrimonial Reference No. 183 of 2014

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Seema Kumari, aged about 35 years, Daughter of Vijay Kumar, Wife of Dr. Rambabu Kumar, Senior Deputy Collector, Aurangabad. present Address - H/o Randhir Singh, Mohalla - Sheikhpura, Bailey Road, P.S. - Airport, P.O. - B.V. College, Dist. - Patna - 14.

.... Petitioner

Versus

1. Dr. Rambabu Kumar, aged about 36 years S/o Late Indal Sah Vill. Bahuarva, P.O. - Vishnupur, Police Station - Bela, Dist. - Sitamarhi. present Address - Senior Deputy Collector, Banka Collectariate, P.O. - Banka, Dist. - Banka.

.... Opp.Party.

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Appearance :

For the Petitioner/s : Mr. Madheshwar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

9 09-01-2017 The present matter has been listed under the heading "For Orders".

The present petition was filed under Section 24 of the Code of Civil Procedure for transferring the Case no.183 of 2014 from the court of the Principal Judge, Family Court, Munger to the court of the Principal Judge, Family Court, Patna for its trial and disposal.

The Opp.Party had filed Original Petition(Divorce) Case no.183/2014 in the court of the Principal Judge, Family Court at Munger under Section 13(1)(i-a)(i-b) of the Hindu Marriage Act, 1955. The petitioner is wife of sole



Respondent/Opp.Party. Both petitioner and Respondent are in government job and posted at different places. The petitioner being wife has approached this Court for transferring the case to Patna court, so that she may appropriately pursue the case.

Sri Pawan Kumar, learned counsel, who has appeared on behalf of sole Respondent/Opp.Party, on instruction, submits that for both petitioner and Respondent , it would be convenient to pursue the matter before the Principal Judge, Family Court, Patna.

Earlier, in this case, while directing for issuance of notice to Opp.Party, this Court had directed to stay further proceeding in Matrimonial Case no.183 of 2014 pending in the court of Principal Judge, Family Court, Munger till appearance of Opp.Party. Subsequently, the order of stay was modified and directed to remain operative till further order.

Since both parties, who are wife and husband and also government employees, have agreed for transferring the case to the Patna Court, there is no reason to deny the prayer in the petition. Accordingly, for the sake of convenience of both parties, it is desirable to direct to transfer the record of Matrimonial Case no.183 of 2014 from the court of Principal Judge, Family Court, Munger to the Court of Principal Judge, Family Court, Patna.



This order was passed with the consent of both the parties.

Since in Matrimonial Case, the petitioner has already appeared, there is no need for passing order for issuance of notice. The Court expects that both parties without any notice will appear in the court at Patna.

The petition stands disposed of.

(Rakesh Kumar, J)

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