

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4192 of 2016

=====

Manju Bala @ Gudiya W/o Shailesh Kumar, D/o Sri Dinesh Pandey R/o Vill Barwa, P.S. Govindganj, District-East Champaran.

.... Petitioner

Versus

Shailesh Kumar S/o Sri Jokhan Mishra R/o Vill- Raidhurwa, P.S. Manuapul, Distt. West Champaran.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dhannjay Kumar No. 2, Advocate

For the Opposite Party : Mr. Rohitabh Das, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-11-2017

The present petition has been filed for transfer of Divorce Case No. 52 of 2016 from the Court of learned Principal Judge, Family Court, West Champaran at Bettiah to the Court of learned Principal Judge, Family Court, East Champaran at Motihari.

2. Learned counsel for the petitioner submits that after being thrown out from the matrimonial home she is living with her parents and would be put to great difficulty if she has to attend the Court at Bettiah to contest the subject divorce case. It is submitted that there is no male member in her family to accompany her to Bettiah. It is further stated that her parents are very poor persons.

3. Learned counsel for the opposite party opposes the petition and invites attention to petitioner's Complaint Case No. 1197 of 2016 (Annexure-R/6) filed before learned Chief Judicial Magistrate, East Champaran at Motihari against her father and another wherein she



describes herself as the wife of one Uttam Kumar. The averments made in the said Complaint Case are completely contrary to the facts narrated in the present petition and it has been stated therein that the father of the petitioner is a well-to-do person and he is the owner of a factory at Ludhiana. It is further stated therein that the petitioner had been taken to Ludhiana by her father and hence the statement made before this Court that her parents are poor persons is entirely incorrect.

4. The stand of the opposite party has not been controverted and no rejoinder to the counter affidavit has been filed on behalf of the petitioner.

5. In the above circumstances, this Court is not inclined to interfere in the matter. The petition stands dismissed. I.A. No. 3885 of 2017 also stands disposed of.

(Vikash Jain, J)

Chandran/BT

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

