

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1443 of 2017

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Hafsha Siddique @ Roohi, wife of Shah Faisal @ Dablu, daughter of Shakir Karim @ Md. Shakir Karim, resident of Village- Inarwa Bhar, P.S.- Paharpur District- East Champaran at present residing at Mohalla- Baswaria, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner

Versus

Shah Faisal @ Dablu son of Ataur Rahman, resident of Village- Inarwa Bhar, P.S.- Paharpur, District- East Champaran.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Anis Akhtar, Advocate.

For the Opposite Party : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-12-2017

The present petition has been filed for transfer of Matrimonial Case No. 48 of 2017 from the court of learned Principal Judge, Family Court, Motihari, District - East Champaran to the Court of learned Principal Judge, Family Court, Bettiah, District - West Champaran.

2. It is submitted that the petitioner is facing considerable hardship in attending the said matrimonial case for restitution pending at Motihari as the petitioner has an infant child to take care of as she is residing in her parental home at Bettiah. Moreover, it is stated that two cases namely Maintenance Case No. 94 of 2017 and Bettiah Town P.S. Case No. 79 of 2017 filed by her are pending at Bettiah in which the opposite party is already appearing.

3. Despite issuance of notice, none has entered appearance



on behalf of the opposite party nor is he represented when the matter is called today.

4. Having heard learned counsel for the petitioner and on a consideration of the materials on record, this Court is of the view that the balance of convenience lies in favour of the petitioner. Accordingly, let the Matrimonial Case No. 48 of 2017 be transferred from the Court of learned Principal Judge, Family Court, Motihari, East Champaran to the Court of learned Principal Judge, Family court, Bettiah, West Champaran.

5. The petition stands allowed.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.12.2017
Transmission Date	N.A.

