

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2075 of 2017

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Rani Kumari, wife of Mr. Raushan Kumar, daughter of Sri Krishnadeo Sharma, at present resident of Village-Khanwan, P.S.-Narhat, District-Nawada

.... Petitioner

Versus

Raushan Kumar, son of Sri Satyendra Kumar, resident of Village-Berra, P.O.-Berra, P.S.-Masaurhi, District-Patna, PIN Code-804454

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Chandra Mishra, Advocate

For the Opp. Party : Mr. Aditya Nath Pandey, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

10 26-02-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the sole opposite party.

This application has been filed on behalf of the petitioner praying for transfer of Matrimonial Case No.215 of 2017 pending in the court of the learned Additional Principal Judge, Family Court, Patna to the Family Court, Nawada.

Learned counsel for the petitioner submits that the aforementioned case has been filed by Opposite Party-Raushan Kumar, who after solemnization of marriage has raised false and frivolous allegations against the petitioner and has filed the aforementioned matrimonial case for declaring the marriage between the opposite party and the petitioner to be null and



void.

Learned counsel for the petitioner further submits that the petitioner has serious difficulty in coming to Patna to pursue the aforementioned case and, therefore, prays for transfer of the aforementioned case from the court of learned Additional Principal Judge, Family Court, Patna to Family Court, Nawada. She also apprehends danger and conspiracy against her and her parents and family members also and is not in a fit mental condition as she is highly apprehensive of the conduct of the opposite party.

Learned counsel for the opposite party has also filed a counter affidavit in this case, in which he has stated that the marriage was solemnized on falsity and as such, the opposite party has been compelled to file the matrimonial case. Learned counsel also submits that the opposite party is working in Kolkata and shall be seriously prejudiced to attend a distant place like Nawada to conduct the case.

However, considering the entire facts and circumstances of the case and the difficulty and inconvenience of the petitioner, this Court directs, in the interest of justice, that Matrimonial Case No.215 of 2017 pending in the court of the learned Additional Principal Judge, Family Court, Patna be



transferred to the Family Court, Nawada.

The M.J.C. application thus stands allowed.

(Anjana Mishra, J)

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