

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4026 of 2013

In

Matrimonial Reference No. 134 of 2013

=====

GUNJA KUMARI @ GUNJA DEVI, W/o Santosh Kumar Jaishwal, D/o
Ramdhari Prasad @ Dhamdhari Jaishwal, R/o Village-Jagiraha, Bijmani,
P.S.-Jitna (Ghorasahan) District-East Champaran.

.... Petitioner/s

Versus

Santosh Kumar Jaishwal, S/o Lallu Prasad Jaishwal, R/o Mohalla-Pant
Nagar Colony, Gaya Bodh Gaya Road, P.S.-Civil Line Gaya, District-Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Respondent : None

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 19-06-2018

Heard learned counsel for the petitioner.

It appears that the notice was issued to the sole
opposite party and the Counsel appearing in the court below has
accepted the notice, but having no instruction and there being no
further appearance before this Court, the matter regarding transfer
of Matrimonial Case No.134 of 2013, which is pending in the
court of the Family Court, Gaya, has unnecessarily remained
pending.

Learned counsel for the petitioner thus prays that the
aforementioned Matrimonial Case No.134 of 2013 be transferred
from the court of Family Court, Gaya to the Family Court,
Motihari, East Chamapran on the ground that it is virtually



impossible for her to contest the matter at Gaya as she has been the victim of continuous torture from her in-laws at Gaya and is thus afraid of going there to contest the matter. She has further stated in her application that she has no source of income and the distance of Gaya is more than 300 Kms. from her *Maik*e where she is presently residing. She has further prayed that the case may be transferred from Gaya to Motihari so that she may take adequate steps for contesting the matter, which has been filed under Section 9 of the Hindu Marriage Act.

Having considered the entire facts and circumstances of the case and there being no resistance of the present application and also the exigency of the situation, let Matrimonial Case No.134 of 2013 pending in the court of the Family Court, Gaya be transferred to the Family Court, Motihari, East Champaran.

Let the record of the aforementioned case be sent to the court concerned forthwith.

The application stands disposed of.

(Anjana Mishra, J)

PNM

U			
---	--	--	--

