

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1463 of 2015

In

Matrimonial Reference No. 28 of 2015

=====

Mamta Kumari @ Mamta Gupta wife of Samant Kumar,
daughter of Sri Indradeo Prasad Gupta, resident of village-
Shokhara- 1, P.S. Phulwaria, District Begusarai, at present
residing at C/o Sri Indradeo Prasad Gupta, Mohalla- Barmasia,
P.S.- Mirchaibari, District- Katihar

.... Petitioner

Versus

Sumant Kumar son of Sri Bishundeo Lal, resident of village-
Shokhara- 1, P.S. Phulwaria, District Begusarai.

.... Respondent

=====

Appearance :

For the Petitioner/s : Mr. Sushanta Kumar Das

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8. 25-09-2018

Heard learned counsel for the petitioner. No
one appears on behalf of the State.

Petitioner is seeking transfer of Divorce Case
no. 28 of 2015 from the court of learned Principal Judge,
Family Court, Begusarai to the court of learned Principal
Judge, Family Court, Katihar.

Learned counsel for the petitioner submits that
the divorce petition has been brought by opposite party
who is living within the jurisdiction of Begusarai Court.
However, the petitioner having been deserted by the
Opposite Party is presently living at her parent's place
within the district of Katihar.

It is submitted that the petitioner has one
minor son and presently she is fully dependent upon the
parents at Katihar. It is further pointed out that the
distance from Begusarai to Katihar is at least 200 km.
from one side, in these circumstances it could not be
possible for her to attend the court at Begusarai and
contest the matter effectively. It is also pointed out that



the petitioner has no independent source of income and presently she is not getting any maintenance from the Opposite Party.

Since no one has appeared to oppose the application and controvert the factual aspect stated in the application, this court has reason to believe that in the given facts and circumstances it would not be possible or the petitioner to contest the matter at Begusarai effectively.

It is thus in the interest of justice, let the records of Divorce Case No. 28 of 2015 be transferred from the court of learned Principal Judge, Family Court, Begusarai to the court of learned Principal Judge, Family Court, Katihar within a period of 15 days from the date of receipt/production of a copy of this order.

This application is allowed to the extent indicated hereinabove.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U			
---	--	--	--

