

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2478 of 2017

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Sweety Kumari, D/o Ram Swaroop Prasad, resident of Suite No.14, Road No.1-D, Officers' Hostel (Behind DAV School), New Punaichak, P.O. and P.S.-Shastri Nagar, District-Patna.

.... Petitioner/s

Versus

Mithilesh Kumar Das, son of Lalit Kumar Das, resident of Repura, P.O.-Mahmadpur Susta, P.S.-Sakra, District-Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4 31-08-2018

It appears that the opposite party has filed an application under Section 9 of the Hindu Marriage Act seeking restoration of his conjugal rights with the present petitioner. The petitioner is contesting the same as it is her case that in fact there was no legal and valid marriage between the petitioner and opposite party. While the petitioner has moved this Court seeking transfer of the matrimonial case of restitution of conjugal rights from the court of Muzaffarpur to the court at Patna, learned counsel representing the opposite party, in the opinion of this Court, has taken a fair stand stating that if the petitioner is not willing to go for restitution of conjugal rights, he is not required to pursue his application under Section 9 of the Hindu Marriage Act and he would withdraw the same.



Given the kind of submission advanced on behalf of the opposite party, this application seems to have become infructuous and is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/-

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