

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1755 of 2017

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MANJU DEVI, W/o Harish Chandra Singh, Resident of Village- Walipur,
P.S.- Pipariya, District- Lakhisarai.

.... Petitioner/s

Versus

Harish Chandra Singh, S/o Late Kamo Singh, Resident of Village-
Walipur, P.S.- Pipariya, District- Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Respondent/s : None

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER**

4 31-08-2018 Heard learned counsel for the petitioner. No one
appears for the opposite party.

Petitioner has prayed for transfer of Miscellaneous
Case No.64 of 2014 from the court of learned Principal Judge,
Family Court, Munger to the court of learned Principal Judge,
Family Court, Lakhisarai. It appears that earlier a maintenance
case was filed by this petitioner at Munger seeking maintenance
for herself and her children. In the said maintenance case, learned
Principal Judge, Family Court, Munger passed an order dated
22.12.2011 directing the opposite party to pay Rs.8,000/- by way
of maintenance to the petitioner. Finally, the Family Court vide
order dated 19.10.2013 was pleased to fix maintenance amount @
Rs.4200/- per month from the date of filing of the case and



Rs.5,000/- towards cost of litigation. Since the opposite party had not complied with the order of the learned Principal Judge, Munger the petitioner has filed the present Miscellaneous Case bearing No.64 of 2014 on 21.02.2014.

Learned counsel for the petitioner submits that the case in question was initially filed in the court at Munger when there was no Family Court at Lakhisarai. Both the parties in this case are residents of Lakhisarai and now that full-fledged court of learned Principal Judge, Family Court is working, there is no reason why this case should not be transferred to the court at Lakhisarai which will be in fact in the interest of both the parties and even convenient to proceed with the matter.

No one has appeared on behalf of the opposite party to oppose the application, taking note of the submissions of learned counsel for the petitioner, this Court is of the considered opinion that the prayer made in the application is a reasonable kind of prayer and there is no reason why it should not be allowed. Let the records of Miscellaneous Case No.64 of 2014 presently pending in the court of learned Principal Judge, Family Court, Munger be transferred to the court of learned Principal Judge, Family Court, Lakhisarai within a period of fifteen days from the date of receipt/production of a copy of this order.



This application is allowed in terms stated hereinabove.

(Rajeev Ranjan Prasad, J)

Arvind/-

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