

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4172 of 2016

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Sudha Kumari W/o Anup Kumar, D/o Mahabir Prasad,
resident of Village- Chini Mill Buxar, P.S. Buxar, at present
resident of Mohalla- Shapur, Near Narendra Takies, P.O. +
P.S. + District- Aurangabad.

.... Petitioner

Versus

Anup Kumar Son of Tuntun Prasad, resident of
Village/Mohalla- Chini Mill Buxar, P.O. + P.S. Buxar, District-
Buxar.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4. 26-09-2018

This application has been preferred seeking transfer of Matrimonial Case No. 26 of 2016 from the court of learned Principal Judge, Family Court, Buxar to the court of learned Principal Judge, Family Court, Aurangabad, Bihar.

The Opposite Party No. 2 has appeared and has filed a reply. It has been pointed out to this court that during pendency of the present application the matrimonial suit has proceeded in the court below as there was no order of stay of further proceeding. It has also been shown by annexing the certified copy of the deposition that the evidence in the case have been led on behalf of the applicant in the matrimonial suit and he was even subjected to cross-examination on behalf of the



present petitioner. The court is now informed that the case is fixed for final hearing in the court below.

Learned counsel for the petitioner admits that after putting appearance in the court below and filing of written statement there, this petitioner had left attending the court for quite sometime. It is evident form the records that the case is at final stage of conclusion, therefore this court is of the considered opinion that it would not be just and proper to transfer the case at this stage.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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