

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.44 of 2018

=====

Sanju Kumari, Wife of Lalan Kumar @ Lalan Kumar Sah, Daughter of
Dinanath Sah, Resident of Village- Bijdhari, Police Station- Kesariya,
District- East Champaran.

.... Petitioner

Versus

Lalan Kumar @ Lalan Kumar Sah, Son of Sone Lal Sah, R/o Village-
Laliyahi Ward No.11, PO- Katiha, P.S.- Sahayak, District- Katihar.

... Respondent

=====

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4. 19-11-2018

This application has been preferred seeking transfer of Matrimonial Case No. 379/2017 from the court of Principal Judge, Family Court, Katihar to the court of Principal Judge, Family Court, East Champaran at Motihari.

Learned counsel for the petitioner submits that the petitioner is suffering from some physical disability to the extent of 40% and she has got no independent source of income, therefore in the given circumstance it is not possible for her to put an effective contest to the matrimonial case brought by her husband in the court at Katihar.

Learned counsel for the opposite party is present and submits that on the ground stated on behalf of the petitioner the case is not fit to be transferred.

Having heard learned counsel for the parties and on perusal of the records, this court finds that it is an uncontroverted stand of the petitioner that she is suffering from 40% of the handicapness and she is unable to travel



without any attendant and further that she has no independent source of income.

Considering the facts and circumstances of this case, this court is of the considered opinion that it would be in the interest of justice to transfer the Matrimonial Case No. 379/2017 from the court of learned Principal Judge, Family Court, Katihar to the court of learned Principal Judge, Family Court, East Champaran at Motihari.

Let the record of Matrimonial Case No. 379/2017 be sent to the court of learned Principal Judge, Family Court, East Champaran at Motihari within a period of 15 days from the date of receipt/production of a copy of this order.

With the aforesaid directions, this application stands allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U			
---	--	--	--

