

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1822 of 2017

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Chhavi Kumari, aged about 38 years, w/o Kundan Kumar Jaiswal, d/o Rajnikant Jaiswal, r/o Khiria Ghat, Kotwali Chowk, P.O. & P.S. Kotwali, District- Bettiah.

.... Petitioner

Versus

Kundan Kumar Jaiswal, s/o Suresh Prasad Jaiswal, r/o Village & P.O. Nabi Nagar, Sanichar Bazar, P.S. Nabi Nagar, District- Aurangabad (Bihar).

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Subroteswar De

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5. 18-09-2018

Heard learned counsel for the petitioner. Despite indulgence granted by this court to the opposite party on earlier occasion and even yesterday by giving pass-over the matter no one appears on behalf of the opposite party to oppose this application.

The petitioner in the present case is seeking transfer of Matrimonial Case No. 51 of 2017 from the court of learned Principal Judge, Family Court, Aurangabad to the court of learned Principal Judge, Family Court, Bettiah, West Champaran.

Learned counsel for the petitioner submits that the petitioner after being deserted by her husband is presently living in her Naihar with her father. It is stated that his father is an old aged person, still he is somehow carrying on the responsibility of the petitioner and her two sons. The petitioner is not getting any maintenance. She has no independent source of income. It is also submitted that she has no one in her family to accompany her from Bettiah to the court at Aurangabad on each and every date.



It is submitted that it would be in the interest of justice to transfer the records to the court of learned Principal Judge, Family Court, Bettiah where the petitioner can contest the matter.

Having heard learned counsel for the petitioner and finding that despite service of notice no reply has been filed and the facts stated therein have not been opposed in any form of pleadings, this court find it a fit case to transfer the records.

In the given facts and circumstances, let the records of Matrimonial Case No. 51 of 2017 be transferred from the court of learned Principal Judge, Family Court, Aurangabad to the court of learned Principal Judge, Family Court, Bettiah at West Champaran within a period of 15 days from the date of receipt/production of a copy of this order.

Accordingly, this application stands allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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