

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No. 2338 of 2017**

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Bandana Kumari Wife of Sri Piyush Kumar @ Piyush Chandra, Resident of Mohalla- Bulla Saheed Lakhibagh, PS- Mufassil, District- Gaya, at present residing at C/o Dr Bhawani Shankar, Rajeev Nagar, Road No 18, PS- Rajeev Nagar, District- Patna.

... .. Petitioner/s

Versus

Sri Piyush Kumar @ Piyush Chandra Son of Sri Naresh Chandra, Resident of Mohalla- Bulla Saheed Lakhibagh, PS- Mufassil, District- Gaya.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Chand, Advocate  
For the Opposite Party/s : Mr. Birenddra Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

**ORAL JUDGMENT**

**Date : 26-06-2019**

Heard learned counsel for the petitioner and learned counsel for the opposite party.

2. The petitioner has moved the Court for the following relief:

*“That, by this application, the prayer of the petitioner is to transfer the Matrimonial Suit No. 129 of 2017 from the Court of Learned Principal Judge, Family Court, Gaya to the Court of Learned Principal Judge, Family Court, Patna.”*

3. At the very outset, learned counsel for the opposite party submitted that he is agreeable to transfer of the Matrimonial



Suit to Patna. However, he submitted that since the same is of the year 2017, the Principal Judge, Family Court, Patna be directed to dispose off the matter expeditiously.

4. Having regard to the aforesaid, on mutual consent, the application stands allowed. Matrimonial Suit No. 129 of 2017 is transferred from the Court of Principal Judge, Family Court, Gaya to the Court of Principal Judge, Family Court, Patna. The Principal Judge, Family Court, Gaya shall transmit the records of the case within two weeks to the Principal Judge, Family Court, Patna. On receipt of the record, fresh number shall be given to the case. The parties shall appear before the Principal Judge, Family Court, Patna on 22<sup>nd</sup> July, 2019, along with a copy of this order. Upon doing so, the Principal Judge, Family Court, Patna shall ensure that the proceedings are taken up on priority basis and the matter shall finally be disposed off within one year. The Court would only observe that it has given a sufficiently long time for disposal of the matter and, thus, it shall be the duty of the Court to ensure that the same is done so positively. It goes without saying that even if the parties do not cooperate, the Court has sufficient power under law to proceed in the matter and take it to the logical conclusion, which should be done.



5. The application stands disposed off in the  
aforementioned terms.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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