

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2124 of 2018

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Rinku Kumari Wife of Pravin Kumar Singh, Daughter of Lal Bahadur Lal Vishwakarma Dhaba Near Shahar Wal Bhog Aata Mill, Ward No. 11, Police Station Saharsa District- Saharsa.

... .. Petitioner/s

Versus

Pravin Kumar Son of Vinay Kumar Srivastava Resident of Mohalla Langartolo, Bangali Akhara Lane, Police Station Kadamkuan, District Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 22-04-2019

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

2. The present petition has been filed for transfer of the Matrimonial Divorce Case No. 254 of 2018 from the Court of learned Principal Judge, Family Court, Patna to the Court of learned Principal Judge, Saharsa.

3. It is submitted that the petitioner has no independent source of income and she is a poor and helpless lady residing at her parents' house at Saharsa. Moreover, the petitioner has filed Complaint Case No. 1202 of 2016 as well as Maintenance Case No. 47 of 2018, both of which are pending at Saharsa which the petitioner would be required to attend.

4. Learned counsel for the opposite party appears and opposes the petition submitting that it will be equally difficult for



him to attend the Matrimonial Case, if the same is transferred to Saharsa and he would also be required to produce his witnesses from Patna. As regards financial constraints of the petitioner, the opposite party expresses his readiness to bear reasonable expenses for travel and stay to enable the petitioner to attend Matrimonial Case at Patna.

5. In the above circumstances, this Court is not inclined to direct transfer of Matrimonial Divorce Case No. 254/2018 from Patna to Saharsa as sought by the petitioner. It is however, directed that the opposite party shall pay second class train fare to and from Patna along with Rs. 750/- towards miscellaneous expenses for each date when the petitioner is required to personally attend the Court at Patna. The learned Court below shall ensure payment of the aforesaid amount to the petitioner.

6. The petition stands disposed of with the aforesaid observation.

Chandran/-

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.05.2019
Transmission Date	NA

