

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.268 of 2017

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Sofiya Perween, aged about 22 years, Wife of Md. Nematullah D/o Md. Arsad Ali, Village- Dariyapur, P.O. Hathda, District- Patna, at present residing at Kachehri Mohalla, P.O. P.S.- Phulwarisharif, District- Patna.

... .. Petitioner

Versus

Md. Nematullah S/o Late Md. Idrish, Mohalla- Sajjada Nagar Luruara, P.O. Luruara, P.S. Muffasil, District - Begusarai.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mohammed Abu Haidar, Advocate
For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 22-04-2019

The present petition has been filed for transfer of Matrimonial Case No. 45 of 2016 from the Court of learned Principal Judge, Family Court, Begusarai to the Court of learned Principal Judge, Family Court, Patna.

2. It is submitted that the petitioner is a lady having no independent source of income and is living with her father who is suffering from old age diseases. It is stated that the petitioner has to go to Begusarai to defend the matrimonial case filed by the opposite party at Begusarai seeking restitution of conjugal rights, owing to financial constraints. Moreover, another Maintenance Case at subsequent stage has been filed by the petitioner at Patna which the opposite party is required to attend.

3. Despite valid service of notice on the opposite party, none is present on his behalf when the matter is called.



4. Considering the submission of the petitioner, this Court is satisfied that the balance of convenience lies in favour of the petitioner. Accordingly, this Court directs transfer of Matrimonial Case No. 45 of 2016 filed at the instance of the opposite party from the Court of learned Principal Judge, Family Court, Begusarai to the Court of learned Principal Judge, Family Court, Patna for its disposal.
5. The present petition stands disposed of.

BT/-

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
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