

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2817 of 2017

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Ritu Singh W/o Vikram Kumar Resident of Village - Chapra, P.S. - Tariyani,
District Sheohar, At present D/o Jitendra Nath Singh Village - Baruari, P.S. -
Gayaghat, District – Muzaffarpur.

... .. Petitioner

Versus

Vikram Kumar S/o Pawan Kumar Singh Resident of village - P.O. - Tariyani
Chapra, P.S. - Tariyani, District - Sheohar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Arbind Kumar Singh, Advocate
For the Opposite Party : Mr.Nachiketa Jha, Advocate

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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. 29 of 2016 from the Court of learned Principal
Judge, Family Court, Sheohar to the Court of learned Principal Judge,
Family Court, Muzaffarpur.

2. It is submitted that the petitioner, who is a lady, would
have to face considerable difficulty and harassment in attending the
matrimonial case filed by the opposite party for restitution of conjugal
rights at Sheohar. It is submitted that the petitioner has no independent
source of income. It is further stated that the petitioner has a young son
of three years of age and in such circumstances, it would be extremely
difficult for her to make journey to and fro. Moreover, the petitioner has
also filed Complaint Case No. 3283 of 2015 at Muzaffarpur which the
opposite party would be required to attend.

3. Learned counsel for the opposite party is present and has
been heard. No counter affidavit however has been filed to dispute the



stand of the petitioner nor any credible reason has been assigned for opposing the prayer of the petitioner.

4. Having heard learned counsel for the parties and on careful consideration of the materials available on record, this Court is of the view that the balance of convenience lies in favour of the petitioner. It is not in dispute that the petitioner has no independent source of income and that she has to take care of her young son of about three years of age. In such circumstances, she would face considerable difficulty in travelling or contesting the matrimonial case filed by the opposite party.

5. In the circumstances, this Court directs transfer of Matrimonial Case No. 29 of 2016 filed at the instance of the opposite party from the Court of learned Principal Judge, Family Court, Sheohar to the Court of learned Principal Judge, Family Court, Muzaffarpur for its disposal.

6. The petition stands disposed of.

BT/-

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27.04.2019
Transmission Date	N.A.

