

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3002 of 2017

Mrityunjay Kumar Shashi @ Mritunjay Kumar Shashi, Son of Nawal Kishore Prasad, Resident of Mohalla - Gosain Math, near Banarsi Ghat, P.S. Barh, District Patna at present resident of Mohalla Kamaruddinganj P.S. Laheri, P.O. - Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

Kumari Komal @ Shrdha @ Tinu, Daughter of Late Pawan Kumar Tiwari, Wife of Mrityunjay Kumar Shashi, Resident of Mohalla Garhpar, P.O. and P.S. Biharsharif, District Nalanda at present resident of Mohalla Puraniganj, near Bijli Office, P.S. Kasin Bazar, District Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Devendra Kumar Sinha, Senior Advocate
		Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

10 28-01-2020 Heard Mr. D.K. Sinha, the learned Senior counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the opposite party.

The petitioner filed this petition for transfer of Matrimonial Case No.260 of 2016 from the court of Principal Judge, Family Court, Munger to the court of Principal Judge, Family Court, Nalanda at Biharsharif. The opposite party-wife of the petitioner has made specific allegation that at the time of filing of the matrimonial suit, she was residing within the jurisdiction of the Principal Judge, Family Court, Munger.

Mr. D.K. Sinha, the learned Senior counsel for the petitioner submits that the wife of the petitioner never resided



within the territory of the district of Munger. Presently she is residing in Gurgaon and working in India Bulls Home Loan Private Limited at Udyog Vihar, Phase-4 Gurgaon, Haryana. It is submitted that the opposite party-wife has also admitted that presently she is residing in Delhi but I find no reason that once the case is filed in Munger, the case should be transferred from the court of Principal Judge, Family Court, Munger to Nalanda at Biharsharif on the ground that the wife who filed suit is not residing there.

Accordingly, the petition is dismissed.

(Prabhat Kumar Jha, J)

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