

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1604 of 2019

Manjula Kumari W/o Jitendra Kumar Singh D/o Sri Chandradip Mahto (Retd. Head Clerk District Consumer Forum Muzaffarpur) Resident of Mohalla-Kasipur Near Durga Place, Ward No. 5, Samastipur, Distt.- Samastipur, At present Resident of Village- Goraul, P.s.- Goraul, Distt.- Vaishali

... .. Petitioner/s

Versus

1. Jitendra Kumar Singh S/o Pramod Kumar Singh Resident of Mohalla-Kasipur near Durga Place, Ward No. 5, Samastipur, Distt.- Samastipur
2. Pramod Singh S/o Resident of Mohalla- Kasipur near Durga Place, Ward No. 5, Samastipur, Distt.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 01-03-2021 Heard the learned counsel for the petitioner and the learned counsel for the O.P. No.2. O.P. No.2 is father of O.P. No.1 and O.P. No.1 filed Divorce Case No. 76 of 2018 in the court of Principal Judge, Family Court, Samastipur.

The learned counsel for the petitioner submits that petitioner has already filed Maintenance Case No. 166/2014 in the court of Principal Judge, Family Court, Muzaffarpur and the Family Court directed the O.P. No.1 to pay maintenance of Rs. 3000/- per month for the maintenance of the petitioner but O.P. No.1 did not pay maintenance and filed Divorce Case No. 76 of 2018 seeking divorce in the court of Principal Judge, Family Court, Samastipur. It is submitted that petitioner is a lady and



she would suffer a lot in commuting to Samastipur from Muzaffarpur for attending the case, therefore, Divorce Suit No. 76 of 2018 be transferred to Family Court, Muzaffarpur from Family Court, Samastipur.

The learned counsel for the O.P. No.2 submits that Samastipur and Muzaffarpur are adjoining districts.

Having considered the facts that wife is residing at Muzaffarpur with her father and she would suffer a lot in commuting to Samastipur from Muzaffarpur for attending the case, Divorce Case No. 76 of 2018 is ordered to be transferred to the court of Principal Judge, Family Court, Muzaffarpur from the court of Principal Judge, Family Court, Samastipur. The Principal Judge, Family Court, Samastipur is directed to transfer the records of Divorce Case No. 76/2018 to the Principal Judge, Family Court, Muzaffarpur within a month from the date of receipt of this order.

This MJC petition is allowed, accordingly.

(Prabhat Kumar Jha, J)

BKS/-

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