

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.135 of 2020

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Priyanka Kumari, W/o Sri Dinesh Kumar Pandey, D/o Sri Kaushal Kumar Pathak, R/o Village-Gowas, P.O.-Kutumba, P.S.-Kutumba, District-Aurangabad, at present residing at Mohalla-Vaban Toli, P.S.-Sultanganj, District-Patna.

... .. Petitioner/s

Versus

Dinesh Kumar Pandey, S/o Sri Sashi Bhushan Pandey, R/o Village-Gowas, P.O.-Kutumba, P.S.-Kutumba, District-Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner : None

For the Opposite Party : Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 11-07-2022

I.A. No. 01 of 2021

The interlocutory application has been filed showing jointness of the opposite party with his father.

In view of the statement made in the I.A. showing jointness of the opposite party with his father, service of notice upon opposite party is accepted.

The present petition has been filed for transfer of Matrimonial Case No.209 of 2019 from the Court of the Principal Judge, Family Court, Aurangabad to the Court of Principal Judge, Family Court, Patna.

It has been submitted by learned counsel for the petitioner that marriage between the petitioner and the opposite party was solemnized on 21.05.2017 according to the Hindu



rites and rituals and on account of non-fulfillment of demand of dowry, the petitioner was subjected to cruelty by the opposite party and also against her family members and because of the same, relationship became strained; and criminal case was also filed against the opposite party and his family members. It has further been submitted that the petitioner has no source of income and she is totally dependent upon her father.

Learned counsel for the petitioner has further submitted that the petitioner feels threat to her life and has been threatened by the opposite party if she comes to Aurangabad to contest her case. Since the petitioner is staying with her father at Patna, it is not possible for her to travel to Aurangabad to contest the case.

Considering the difficulty being faced by the petitioner in travelling to Aurangabad, this application for transfer is allowed. Matrimonial Case No.209 of 2019 pending in the court of the Principal Judge, Family Court, Aurangabad is directed to be transferred to the court of Principal Judge, Family Court, Patna. The parties shall appear in the court of the Principal Judge, Family Court, Patna on 25th of July, 2022 and thereafter the proceeding will be conducted in the court of the Principal Judge, Family Court, Patna.



The Principal Judge, Family Court, Patna is directed to dispose of Matrimonial Case No.209 of 2019 within three months from today. If the opposite party does not cooperate in disposal of the Matrimonial Case No.209 of 2019, the Principal Judge, Family Court, Patna will proceed ex parte.

Let a copy of this judgment be communicated to the Principal Judge, Family Court, Aurangabad as well as the Principal Judge, Family Court, Patna for its compliance forthwith.

(Sandeep Kumar, J)

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