

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.380 of 2020

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Ritu Prabha, W/o Samir Shashank, D/o Ganesh Prasad at present residing at
Village - Bariyarpur, P.S. Sitamarhi, District- Sitamarhi.

... .. Petitioner

Versus

Samir Shashank S/o Dr. Vir Kunwar Singh, resident of Village Line Bazar,
P.S. K. Hat District- Purnea Presently posted in Oriental Bank of Commerce
Burdwan, Branch, Burdwa (West Bengal - 713101).

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate

For the Opposite Party : Mr. Devendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL JUDGMENT

Date : 29-06-2022

Heard learned counsel for the parties.

The present application has been filed for transfer
of Matrimonial (Divorce) Case No. 153 of 2019 from the Court
of Principal Judge, Family Court, Purnea to the Court of
Principal Judge, Family Court, Sitamarhi.

It has been submitted by learned counsel for the
petitioner that the marriage between petitioner and opposite
party was solemnized in the year 2018 and the petitioner was
being tortured by her husband and his family members and
thereafter, the Matrimonial Case for divorce was filed by
opposite party.

It has also been submitted by learned counsel for
the petitioner that the petitioner has no source of income and she



is staying in her parent's house and some how managing her life.

It has been submitted by learned counsel for the petitioner that the petitioner is not getting any maintenance and it is very difficult for her to appear in the Family Court, Purnea on each and every date of hearing.

Learned counsel for the opposite party vehemently opposes the prayer for transfer of the case. He further submits that the opposite party is being tortured by the petitioner, so this Court may not transfer the case from Purnea to Sitamarhi.

Considering the fact that the petitioner is a lady and has no source of income and it will be difficult for her to visit Purnea on each and every date to contest the divorce case and that the opposite party will have no difficulty in contesting and in pursuing his divorce case in Sitamarhi, this application is allowed.

Accordingly, Matrimonial (Divorce) Case No. 153 of 2019 is transferred from the Court of Principal Judge, Family Court, Purnea to the Court of Principal Judge, Family Court, Sitamarhi.

The records of Matrimonial (Divorce) Case No. 153 of 2019 should be immediately sent by the Principal Judge,



Family Court, Purnea to the Principal Judge, Family Court, Sitamarhi.

The Principal Judge Family Court, Sitamarhi is directed to dispose of the Maintenance Case No.09 of 2020 filed by the petitioner within a period of three months from today.

Let a copy of this order be communicated to the Court of Principal Judge, Family Court, Purnea and the Principal Judge, Family Court, Sitamarhi through FAX for its compliance.

(Sandeep Kumar, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	07.07.2022
Transmission Date	

