

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1706 of 2019

-
1. Jyoti Sinha @ Sunaina daughter of Rameshwar Prasad wife of Samir Kumar
 2. Omja Verma Minor daughter of Samir Kumar as well as Jyoti Sinha @ Sunaina under the guardian of Jyoti Sinha @ Sunaina.
Both resident of Samir Nagar, P.O. Koshi College Khagaria
P.S. Chitragupta Nagar, District Khagaria at present resident of
Mohalla Khasganj, P.S. Sohsarai, District Nalanda.

... .. Petitioner/s

Versus

1. Samir Kumar son of Sri Arbind Kumar
2. Arbind Kumar son of Late Ramdeo Verma
3. Manju Verma wife of Arbind Kumar
All resident of Mohalla Ramdeo Lodge, Samir Nagar, P.O.-Kashi
College Khagaria, P.S. Chitragupta Nagar, District Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. Surendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 03-08-2022 Notice has been delivered to the opposite parties and the same is deemed to be validly served in view of the speed-post tracking report.

2. Mr. Surendra Kumar Singh, learned Advocate, appears for the opposite party No. 2. The opposite party No. 2 is joint with Respondent No. 1 and 3 so he represents all the opposite parties.

3. Heard the parties.

4. The petitioner No. 1 is the wife of the opposite party No. 1 and the petitioner No. 2 is the minor daughter of the opposite party No. 1.



5. The present application has been filed on behalf of the petitioners for transfer of Execution case No. 11/17 from the Court of Principal Judge, Family Court, Khagaria to the Court of Principal Judge, Family Court, Nalanda at Bihar Sharif filed by the opposite party No. 1 for execution of *ex parte* order dated 20.01.2015 passed in Misc. Case No. 7/14 by the learned Principal Judge, Family Court, Khagaria.

6. The petitioner No. 1 has contended that she being a single mother is facing difficulty to travel from Bihar Sharif to Khagaria to attend the case in the Court of Principal Judge, Family Court, Khagaria and she has prayed for transfer of the case from the Court of Principal Judge, Khagaria to the Court of Principal Judge, Family Court, Bihar Sharif.

7. The opposite party No. 1 has appeared personally and argued and the order is being passed in his presence.

8. Considering the facts of the case and taking into consideration the hardship of the petitioner No. 1 who is a single mother, the prayer of the petitioner is allowed. Accordingly, the Execution Case No. 11/17 is directed to be transferred from the Court of Principal Judge, Family Court, Khagaria to the Court of Principal Judge, Family Court, Bihar Sharif.



9. After transfer of the case Execution Case No. 11/17 in the Court of Principal Judge, Family Court, Bihar Sharif, the Principal Judge, Family Court, Bihar Sharif will issue notice to both the parties and, thereafter, the proceeding will continue in the Court of Principal Judge, Family Court, Bihar Sharif.

10. With the aforesaid observations and directions, this application is allowed.

11. Let a copy of the order be communicated to the District Judge, Khagaria as well as to the District Judge, Bihar Sharif through FAX and e-mail forthwith for compliance of the order.

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

