

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1378 of 2018

Avilasha Bajpayee @ Avilasha Devi

... .. Petitioner/s

Versus

Adityanath Bajpayee @ Mukesh Bajpayee

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-11-2022 Heard the parties.

The Service of notice on OP No. 1 is accepted as validly served on refusal. So far as the OP No. 2 is concerned, it has been submitted by learned counsel for the petitioner that he is not connected with the case, the case is transferred to West Champaran, Bettiah. From the address of OP No. 2 it seems that he is resident of Sitamarhi and he will also have no objection if the case is transferred to West Champaran, Bettiah.

In these circumstances, there is no need of issuing further notice to OP No. 2 as the notice is treated to have validly been served upon him in view of the service report.

OP No. 1, who is the husband of the petitioner, has not appeared, though he has been served notice in the year 2019.

The petitioner is the wife of the opposite party, namely, Adityanath Bajpayee @ Mukesh Bajpayee, who has



filed this application for transfer of Matrimonial Case No. 244 of 2017 from the Principal Judge, Family Court, Bettiah to any competent Court at Bhagalpur.

The petitioner is a young lady dependent upon her old and ailing parents. It is causing much inconvenience to her to travel to Bettiah from Bhagalpur to contest the matrimonial case.

Considering the facts of the case, the Matrimonial Case No. 244 of 2017 is directed to be transferred from the Principal Judge, Family Court, Bettiah to Principal Judge, Family Court, Bhagalpur.

After transfer of the case in the Court of Principal Judge, Family Court, Bhagalpur, the Principal Judge, Bhagalpur, will issue notice to both the parties and, thereafter, the proceeding will continue in the Court of Principal Judge, Family Court, Bhagalpur.

With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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