

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2202 of 2019

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Rita Kumari W/o Manish Kumar d/o Pappu Saw, Resident of Mohalla-
Salempur Road, Sohsarai, Behind Kishan College, P.S.- Sohsarai, Distt.-
Nalanda, at present residing at Mohalla- Pethiya Bazar, near Kali Asthan, P.S.-
Danapur, Distt.- Patna

... .. Petitioner/s

Versus

Manish Kumar S/o Late Devendra Saw Resident of Mohalla- Salempur Road,
Sohsarai, behind Kishan College, P.s.- Sohsarai, Distt.- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate
For the Opposite Party : Mr. Harendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 01-12-2022 Heard the parties.

The petitioner, who is the wife of the opposite party,
namely, Manish Kumar, has filed this application for transfer of
Matrimonial Case No. 27 of 2019 from the Principal Judge,
Family Court, Nalanda at Bihar Sharif to the Principal Judge,
Family Court, Patna.

Learned counsel for the petitioner submits that if the
Matrimonial Case No.27 of 2029 is not transferred, the
petitioner, who is a young lady, will have to face difficulty in
going to Bihar Sharif.

Learned counsel for the opposite party submits that
the opposite party is running a grocery shop at Bihar Sharif and



he has to face difficulty in closing his shop and coming to Patna.

This Court has to compare the hardship of the petitioner as well as the sole opposite party (husband) and in the opinion of this Court, the petitioner will have to suffer mental agony in travelling to Bihar Sharif to contest the case.

Considering the difficulty being faced by the petitioner in travelling to Bihar Sharif to contest the case, this application for transfer is allowed. Matrimonial Case No.27 of 2019 pending in the court of the Principal Judge, Family Court, Nalanda at Bihar Sharif 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 16th of January, 2023 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. 27 of 2019 within three months from today. If the opposite party does not cooperate in disposal of the aforesaid Matrimonial Case, the Principal Judge, Family Court, Patna will proceed ex parte.

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

Let a copy of this judgment be communicated to the



Principal Judge, Family Court, Nalanda at Biharsharif as well as
the Principal Judge, Family Court, Patna for its compliance
forthwith.

(Sandeep Kumar, J)

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