

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.130 of 2021

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Vandana Sinha, wife of Rupesh Kumar, daughter of late Ashok Kumar Sinha, resident of Kamruddinganj, P.S. Lakhisarai, Ward no. 26, Biharsharif, Dist. Nalanda, PIN 803101.

... .. Petitioner

Versus

Rupesh Kumar, son of Umashankar Prasad, resident of Mohalla Koratbari, West of Law college, P.S. K. Hat, Dist. Purnia, PIN 854301.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ray Saurabh Nath, Advocate
For the Opposite Party : Mr. Manish Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL JUDGMENT

Date : 22-06-2022

Heard learned counsel for the parties.

The present writ petition has been filed for transfer of Matrimonial Case No. 73 of 2019 from the Court of Principal Judge, Family Court, Purnea to the Court of Principal Judge, Family Court, Nalanda at Biharsharif.

It has been submitted by learned counsel for the petitioner that the marriage between petitioner and opposite party was solemnized in the year 2011 and the petitioner was being tortured by her husband and his family members and she was thrown out of the house in the year 2016 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 appears that opposite party is gainfully employed and has deserted the petitioner after torturing.

Considering the entirety of the facts and also the fact that the petitioner is a lady and has no source of income and it is not possible 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 Nalanda at Biharsharif, the Matrimonial Case No. 73 of 2019 is transferred from the Court of Principal Judge, Family Court, Purnea to the Court of Principal Judge, Family Court, Nalanda at Biharsharif.

The petitioner will appear in the Court of Principal Judge, Family Court, Nalanda at Biharsharif on 18.07.2022 and thereafter the case shall proceed in accordance with law. If the petitioner files any application for interim maintenance and litigation expenses before the Principal Judge, Family Court, Nalanda at Biharsharif, the same should be decided by the Principal Judge, Family Court, Nalanda at Biharsharif within 15 days from the date of filing of such an application by the petitioner.

The records of Matrimonial Case No. 73 of 2019



should be immediately sent by the Principal Judge, Family Court, Purnea to the Principal Judge, Family Court, Nalanda at Biharsharif.

Let a copy of this order be communicated to the Court of Principal Judge, Family Court, Purnea and the Principal Judge, Family Court, Nalanda at Biharsharif through FAX.

With the aforesaid observations and directions, this writ petition is allowed.

(Sandeep Kumar, J)

pawan/-

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

