

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1461 of 2022

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Pawan Kumar Singh @ Sonu Kumar Singh

... .. Petitioner/s

Versus

Rani Kumari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-09-2022 Heard learned counsel for the parties.

The defect of maintainability seems to be misconceived and the same is ignored.

Issue notice to the sole respondent through under registered covered A/D as well as talbana for which requisites etc., must be filed within one week.

The present application has been filed by the petitioner who is the husband of the respondent for transfer of Maintenance Case bearing No. 85 of 2019 from the Court of learned Principal Judge, Family Court, Rohtas at Sasaram to the Court of learned Principal Judge, Family Court, Bhojpur at Ara.

It has been submitted by learned counsel for the petitioner that the marriage between petitioner and opposite party was solemnized on 27.04.2014.

The only ground mentioned by the petitioner is that



the petitioner is working in Chhattisgarh on the post of Wireless Operator in Chhattisgarh Armed Forces and is posted at P.S. - Bhairamgarh, District Bijapur and therefore, he has difficulty in attending the Court at Sasaram and he will have no difficulty in contesting the case at Ara as the Pairbi of the case is being looked after by the father of the petitioner.

Considered the submission of the petitioner, the distance between Sasaram and Ara is about 100 Kms. and there is regular train and bus service between the two places.

In these circumstances, the ground taken by the petitioner is not a good ground for the transfer of the Maintenance Case bearing No. 85 of 2019. Moreover, it is the girl who will face difficulty in coming from Sasaram to Ara and therefore, the application for transfer of Maintenance Case bearing No. 85 of 2019 is dismissed.

The Principal Judge, Family Court, Rohtas at Sasaram is directed to conclude the Maintenance Case bearing No. 85 of 2019 within three months of the receipt/communication of the order of this Court and will follow the guidelines issued by the Supreme Court in the case of ***Rajnish vs. Neha & Ors. [(2021) 2 SCC 324]***.

It is also made clear that now the petitioner has



knowledge of the maintenance case, so if he avoids appearance in the case then the case will proceed ex-parte.

Let a copy of this order be communicated through FAX and e-Mail to the Court of learned Principal Judge, Family Court, Rohtas at Sasaram.

(Sandeep Kumar, J)

Vikas/Sunny

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