

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.429 of 2021

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Priyanka Kumari, daughter of Sri Birendra Kumar Singh, Resident of Village - Charan, Police Station- Harnaut, District- Nalanda.

... .. Petitioner

Versus

Chandan Kumar son of Arun Kumar Resident of Village - Rampur Ismail (Bahpura), Police Station- Bihta, District- Patna and at present residing at A/90, Colony, Kankarbagh, Lohiya Nagar, Police Station- Kankarbagh, District- Patna.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Niranjana Pd. Singh, Advocate
For the Opposite Party : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL JUDGMENT

Date : 23-06-2022

Heard learned counsel for the parties.

The main copy of the counter affidavit produced by the opposite party is taken on record.

The present writ petition has been filed for transfer of Matrimonial Case No. 203 of 2020 from the Court of Principal Judge, Family Court, Patna 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 2016 and the petitioner was being tortured by her husband and in-laws and thereafter, the Matrimonial Case for divorce was filed by opposite party.

It has also been submitted that apart from financial



incapability the petitioner also apprehends danger to her life in attending the case at Patna as opposite party is a local person and he can go to any extent to achieve his goal.

It has been submitted by learned counsel for the opposite party that opposite party is staying in Qatar and therefore, he is pursuing his case through his father (power of attorney holder) and it will be difficult for him to pursue the divorce case in Nalanda at Biharsharif. It has also been stated that the petitioner has no threat of her life as the opposite party is staying in Qatar.

Considering the submissions of the parties.

Considering the fact that the petitioner is a lady it is not possible for her to visit Patna on each and every date to contest the divorce case and that the father of the opposite party will have no difficulty in contesting and in pursuing the divorce case in Nalanda at Biharsharif, this application is allowed.

Accordingly, the Matrimonial Case No. 203 of 2020 is transferred from the Court of Principal Judge, Family Court, Patna to the Court of Principal Judge, Family Court, Nalanda at Biharsharif.

The records of Matrimonial (Divorce) Case No. 203 of 2020 should be immediately sent by the Principal Judge,



Family Court, Patna 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, Patna and the Principal
Judge, Family Court, Nalanda at Biharsharif through FAX for its
compliance.

(Sandeep Kumar, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	07.07.02022
Transmission Date	

