

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2110 of 2017

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Nisha Verma daughter of Bipin Bihari Verma resident of Pathri Ghat, Bettiah,
P.S. Bariya, District West Champaran at Bettiah.

... .. Petitioner/s

Versus

Shailesh Kumar son of Late Hiralal resident of Mohalla Telephone Exchange
Gali, Jay Prakash Nagar, P.S. Jakkanpur, District Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Rounak Kumar Singh "Pankaj", Advocate
For the Opposite Party : Mr.Satish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL JUDGMENT

Date : 18-11-2022

Heard the parties.

The present petition has been filed for transfer of
Divorce Case No.06 of 2017 from the Court of the Principal
Judge, Family Court, Patna to the Court of Principal Judge,
Family Court, West Champaran, Bettiah.

It has been submitted by learned counsel for the
petitioner that marriage of the petitioner was solemnized with
the opposite party on 08.02.2013 according to Hindu rites and
rituals. On 09.02.2013 the petitioner went to her matrimonial
house and thereafter the petitioner was subjected to cruelty by
the opposite party and also by his family members for non-
fulfillment of dowry demand and because of the same,
relationship became strained. The petitioner has also filed
Maintenance Case No.163 of 2017 which is pending in the



Court of the Principal Judge, Family Court, Bettiah for her maintenance.

Learned counsel for the opposite party has filed counter affidavit today in Court. It has been contended by the opposite party that the opposite party is working in the Ministry of Defence and he may be transferred anywhere in India. In such a situation, it will be difficult to contest the case at Bettiah.

Learned counsel for the petitioner has further submitted that the petitioner feels threat to her life and has been threatened by the opposite party if she comes to Patna to contest her case. Petitioner has no source of income and she completely depends upon her parents and as such, it is not possible for her to travel to Patna to contest the case.

Considering the difficulty being faced by the petitioner in travelling to Patna to contest the case, this application for transfer is allowed. Divorce Case No.06 of 2017 pending in the court of the Principal Judge, Family Court, Patna is directed to be transferred to the court of Principal Judge, Family Court, West Champaran at Bettiah. The parties shall appear in the court of the Principal Judge, Family Court, West Champaran at Bettiah on 5th December, 2022 and thereafter the proceeding will be conducted in the court of the Principal Judge, Family Court,



West Champaran at Bettiah and the same will be disposed of within three months from today. Since the opposite party has knowledge about Maintenance Case No.163 of 2017, he is required to appear and do necessary *pairvi* in the case. The Principal Judge, Family Court, West Champaran is also directed to dispose of Maintenance Case No.163 of 2017 within three months from today. If the opposite party does not cooperate in disposal of the aforesaid Maintenance case, the Principal Judge, Family Court, West Champaran at Bettiah 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, Patna as well as the Principal Judge, Family Court, West Champaran at Bettiah for its compliance forthwith.

(Sandeep Kumar, J)

Harsh/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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