

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4630 of 2019

Madhulika Sinha

... .. Petitioner/s

Versus

Saday Kishore Prasad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-11-2022 Heard learned counsel for the parties.

The present application has been filed for transfer of Matrimonial Suit No. 108 of 2019 from the Court of learned Principal Judge, Family Court, Purnea to the Court of learned Principal Judge, Family Court, Bhagalpur.

It has been submitted by learned counsel for the petitioner that the marriage between petitioner and opposite party was solemnized on 25.04.2006 and out of the wedlock petitioner gave birth to a male child on 29.07.2010.

Learned counsel for the petitioner submits that on demand being made by the opposite party (husband) and his family members several ornaments of worth Rs. 5,01,000/-, motorcycle and cash of Rs. 3,81,000/- etc. were given at the time of marriage. Despite several gifts, the opposite party was not satisfied and tortured her regularly for dowry and the

opposite party has also kept a concubine and habitually resides with her and it has become impossible for the petitioner to live with the opposite party.

The husband of the petitioner is in service as a school teacher (panchayat sikchhak) and he draws a salary of more than 15,000/- (fifteen thousand) per month but he stopped giving money for livelihood to the petitioner and her minor child.

Learned counsel for the petitioner also submits that the petitioner has no source of income and she is totally dependent on her old parents for livelihood so, it will be very difficult for her to move from Bhagalpur to Purnea alone on every date of hearing.

Learned counsel for the opposite party has been heard.

Considering the above submission of the learned counsel for the petitioner and the facts mentioned in the petition, this application is allowed.

Accordingly, Matrimonial Suit No. 108 of 2019 is transferred from the Court of Principal Judge, Family Court, Purnea to the Court of Principal Judge, Family Court, Bhagalpur.

The records of Matrimonial Suit No. 108 of 2019 should be immediately sent by the Court of learned Principal Judge, Family Court, Purnea to the Court of learned Principal Judge, Family Court, Bhagalpur.

Let a copy of this order be communicated to the learned Principal Judge, Family Court, Purnea and to the Court of learned Principal Judge, Family Court, Bhagalpur through FAX and e-mail for its compliance.

(Sandeep Kumar, J)

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