

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.415 of 2020

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Swaati Saandhya, wife of Satyendra Suman, at present resident of House No. 154, Awasthighat, Danapur, P.O.- Digha, P.S.- Danapur, District- Patna-800012 Bihar. Permanent address- Jagat Narayan Road, Jag Jeevan Gali, Kadam Kuan, Patna-3.

... .. Petitioner/s

Versus

Satyendra Suman, Son of Late Parmeshwar Prasad, resident of village- Borna, P.O.- Ali Nagar, P.S. Surajgadha, District- Lakhisarai, Pin - 811106, Mobile - 9955648896

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Mallika Majumdar, Advocate
For the Opposite Party/s : Mr. Ranjan Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-08-2024 Heard Mrs. Mallika Majumdar, learned counsel for the petitioner and Mr. Ranjan Kumar Sinha, representing the opposite party.

“This M.J.C. application is being filed for transfer of the place of trial of the Matrimonial Case No. 132 of 2019 (Satyendra Suman Versus Swaati Saandhy) pending from the court of Principal Judge, Family court, Lakhisarai to the court of Principal Judge, Family Court, Patna.”

2. The case of the petitioner is that, she is fully dependent on parents, who do not have means to cater to her all the financial needs. The husband has looked the other way despite having being in job. She submits that the marriage took place in Patna, she is staying in capital city along with parents



and do not have any means to move to Lakhisarai, where the family gets threatened by the acts of the opposite party.

3. Though, learned counsel for the petitioner also put forward the assault theory, to the father of the petitioner, the same has been denied by the other side.

4. A coordinate Bench on 27.04.2022 directed the Family Court, Lakhisarai, not to pass any final order, till the disposal of the present case and in that background the case is still pending.

5. Learned counsel appearing on behalf of the opposite party submits that the petitioner is also a Post-Graduate and is capable to cater to her needs, though, he concede that he is not giving any financial support to her.

6. Taking into account the aforesaid facts as also that the marriage took place in Patna, where the lady is staying with her parents, according to the learned counsel for the petitioner, she do not have any financial support to move to Saharsa. The petitioner who even otherwise with his job which makes him moving can very well attend the proceeding before the Family Court, Patna. However, he is given the option of either present physically or by virtual mode.

7. In that background, the MJC No. 415 of 2020 is



allowed, let the files of Matrimonial Case No. 132 of 2019, which is presently before the learned Principal Judge Family Court, Lakhisarai, be transferred to the court of learned Principal Judge Family Court, Patna.

8. In view of the fact that the matter is of 2019, it is expected that the transferred court shall take up the matter and dispose it of at an earliest, after giving opportunity to the petitioner to put forward her case, in case she put in her appearance.

(Rajiv Roy, J)

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