

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1207 of 2024

In
Miscellaneous Jurisdiction Case No.2758 of 2019

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Purnima Kumari Wife of Ravishankar Prasad, Daughter of Nasiblal Gupta @
Nasiv Lal Sah Resident of Ward No.- 03, Murli, P.S.- Kishanpur, District-
Supaul.

... .. Petitioner/s

Versus

Ravishankar Prasad Resident of Village- Laukaha, P.S.- Laukaha, District
Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Bimal Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 22-08-2024 Heard the parties.

2. The present petition has been been filed for the grant
of following reliefs:-

*“That the instant application is being filed for
transfer of Matrimonial (Divorce) Case No. 58 of
2019, preferred on behalf of husband of this
petitioner (opposite party here), from the court of
Learned Principal Judge, Family Court,
Madhubani, to the Court of Learned Principal
Judge, Family Court, Supaul, where the petitioner
is living with her parents, after being deserted
from her husband.”*

3. Pursuant to the order dated 19.06.2024, the opposite
party has appeared and his contention is that due to the family of
petitioner, he may have problem in appearing in Family Court
Supaul and as such if the transfer is made, he may be permitted to



appear both through physical mode as also the virtual mode.

4. Learned counsel for the petitioner submits that pursuant to the assault and kicking out from the in-laws house, with a minor female child, she is surviving with her parents and not in a position to go from Supaul to Madhubani on each and every date as no economic assistance is being rendered by the husband.

5. The facts are on record, the couple is blessed with a female child, the petitioner is living with her parents at Supaul, is fully dependent upon them and in that background and considering that there is no economic assistance from the husband, this Court is inclined to transfer the Matrimonial (Divorce) Case No. 58 of 2019 which is presently pending before the court of learned Principal Judge Family Court, Madhubani to the court of learned Principal Judge Family Court, Supaul. Both the parties shall have the liberty to appear before the learned Principal Judge Family Court, Supaul either physically or through the virtual mode.

6. The MJC No.1207 of 2024 is allowed with the aforesaid observation.

(Rajiv Roy, J)

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