

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1007 of 2022

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Kumari Nehalika @ Nehalika Rajak Wife of Rupesh Kumar, Daughter of
Prem Rajak Resident of Uttari Mandiri, P.S.- Budha Colony, District- Patna.

... .. Petitioner/s

Versus

Rupesh Kumar Son of Late Jagdish Rajak Resident of Purani Bazar
Chitranjan Road, Ward No.-11, P.S.- Lakhisarai, District- Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Prasad, Advocate
For the Opposite Party/s : Mr.Madhumay Madhup, Advocate
Mr. Nishikant, Advocate
Mr. Anand Kumar Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 19-09-2024 Heard the parties.

2. The present petition has been preferred for transfer
of Divorce Case 72/2021 from the Court of learned Principal
Judge, Family Court, Lakhisarai to the Court of learned
Principal Judge, Family Court, Patna.

3. The opposite party is present pursuant to the last
order dated 11.07.2023. The lady has assigned reasons in
paragraphs 8 and 9 which read as follows:

*8. that, it is humbly submitted that
after issuance of notice the
petitioner has appeared in the
aforesaid divorce case before the
Court of Principal Judge, Family*



Court, Lakhisarai but the opposite party husband and others family members of the opposite party husband of the petitioner has given threatening to the petitioner and her family members to kill if the case not withdrawn which has been filed/lodged in Patna by the petitioner. In such circumstances due to fear petitioner is also not able to contest the aforesaid divorce case in Lakhisarai therefore, same may be transferred in Patna for trial and disposal for the ends of justice;

9. that, it is humbly submitted that petitioner is a poor and helpless lady residing in her Naihar Patna and economic condition of the petitioner is very bad and due to lack of money the petitioner is not able to expenses of cost of the



*aforesaid divorce case in
Lakhisarai.*

4. The reasons are valid. However, the opposite party also must have the opportunity either to appear physically or through virtual mode.

5. In that background, the MJC No. 1007 of 2022 is allowed.

6. Let the files of Divorce Case 72/2021 be transferred from the Court of learned Principal Judge, Family Court, Lakhisarai to the Court of learned Principal Judge, Family Court, Patna with further direction that both the parties can appear in the proceeding either physically or through virtual mode.

(Rajiv Roy, J)

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