

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1065 of 2022

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Akanksha @ Sony W/o Ashutosh Kumar @ Chandan, d/o Prem Chand Prasad, R/o Hardo Mathiya PO Nechuwa Jalalpur, P.S.-Kuchaikot, District-Gopalganj.

... .. Petitioner/s

Versus

1. Ashutosh Kumar @ Chandan S/o late Sant lal Prasad R/o In front of National Convent Academy Shukla Toil, PS Siwan Town, District Siwan.
2. Rajesh Barnawal S/o late Ashok Barnawal. R/o Mairwa, PO Mairwa, PS Mairwa, District Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Chandra Kant, Adv.
For the Opposite Party/s :	Mr. Aditya Srijan, Mr. Virendra Kumar, Mr. Amrendra Neeraj, Advocates.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 12-09-2024 Heard the parties.

2. This is an application for transfer of Divorce Case No. 100 of 2020 (Dissolution of Marriage) from the court of Principal Judge, Family Court, Siwan to the court of Principal Judge, Family Court, Gopalganj.

3. Pursuant to the notice issued, the husband/ Opposite Party has appeared.

4. The lady has assigned the reasons in paragraphs 08 to 10 of the petition which read as follows:-

“8. That as in the family of the petitioner, she has two brothers and sisters, who are not living with father rather they are



doing own business, it is father of the petitioner, who is aged about 65 years, only it is father in the family, who used to look after family affairs, as such there is no other competent male person in the family of the petitioner to look after the daily affairs of the family.

9. That the petitioner resides with her father at village, which is 50 KM from Siwan and there is no direct convince facility available to the petitioner to come and attend the court at Siwan.

10. That even petitioner has no income, petitioner is completely dependent on her father, who has a small shop at Gopalganj, petitioner father has huge liability on his shoulder, petitioner brothers have no concern with the family and their relation with the family are not cordial, elder brother of petitioner resides at Delhi with family and younger brother of petitioner live separate to his father, hence there is no other person in the family of the petitioner who could join the company of petitioner to come at Siwan to attained court proceeding.

4. Learned counsel for the Opposite Party submits that he has no objection to this transfer but he may be allowed to appear either physically or through video conferencing.

5. The prayer/submission is just and proper, if the



case is to be transferred, the husband also must get opportunity to appear either physically or through video conferencing.

6. In that background, M.J.C. No. 1065 of 2022 is allowed.

7. Let the files of Divorce Case No. 100 of 2020 (Dissolution of Marriage) is transferred from the court of learned Principal Judge, Family Court, Siwan to the court of learned Principal Judge, Family Court, Gopalganj with permission to both the parties either to appear physically or through the video conferencing.

(Rajiv Roy, J)

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