

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1141 of 2022

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Kumari Punam @ Punam Kumari @ Rangila Kumari W/o Anand @ Anand Kumar Sharma, R/o Village- Husaina Raghav, Post- Balukaram, P.S.- Vaishali, District- Vaishali at Hajipur, At present D/o Dineshwar Chaudhary, R/o Village- Kharauna Jayram, Post- Patahi, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

Anand @ Anand Kumar Sharma S/o Uday Shankaram @ Uday Sharma, R/o Village- Husaina Raghav, Post- Balukaram, P.S.- Vaishali, District- Vaishali at Hajipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Raju Kumar, Adv. Mr. Pradhan Murli Manohar Pd, Mr. Abhash, Adv.
For the Opposite Party/s :		Mr.Santosh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-09-2024 Heard the parties.

2. This is an application for transfer of Matrimonial (Divorce) Case No. 135 of 2022 from the court of learned Principal Judge, Family Court, Hajipur to the court of learned Principal Judge, Family Court, Muzaffarpur.

3. Pursuant to the last order the sole Opposite Party has appeared.

4. The lady has assigned the reasons in paragraphs 11 to 13 of the petition which read as follows:-

“11 That it is submitted that the petitioner had lastly resided in her parent's house within the district of Muzaffarpur and



she is fully depended on his father and hence the family court, Hajipur has no jurisdiction to entertain the petitioner and try the suit.

12. That it is humbly submitted that the petitioner being a lady is unable to do the needful parivi and defend the case properly at Hajipur and there is also apprehension of threat to life and safety to her also.

13. That it is also submitted that most of the witnesses of the petitioner are resident of District- Muzaffarpur the case which are pending in the court of learned Principal Judge, Family court, Hajipur. Hence It is expedient in the interest of justice to transfer the Matrimonial (Divorce) Case No. 135/2022 from the court of learned Principal Judge, Family Court, Hajipur to the court of learned Principal Judge, Family Court, Muzaffarpur.

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. 1141 of 2022 is allowed.



7. Let the files of Matrimonial (Divorce) Case No. 135 of 2022 is transferred from the court of learned Principal Judge, Family Court, Hajipur to the court of learned Principal Judge, Family Court, Muzaffarpur, with permission to both the parties either to appear physically or through the video conferencing.

(Rajiv Roy, J)

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