

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1208 of 2022

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Smt. Ruby Kumari Wife of Anil Sharan, Daughter of Sri Ran Nath Prasad Yadav, Resident of Mohalla- Gol Ghar, Shiv Mandir Gali, P.S.- Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

Anil Sharan Son of Late Babu Lal Ray, Resident of Mohalla- Nand Lal Tola, Bank Colony, Nehru Chowk, P.S.- Chapra Town, District- Saran (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Basant Kumar Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 12-09-2024

Heard the parties.

2. This is an application for transfer of the Restoration of Conjugal Rights Case no.27 of 2021 from the court of learned Principal Judge, Family Court, Saran, Chapra to the court of learned Principal Judge, Family Court, Patna.

3. Pursuant to the last notice issued, the husband/ Opposite Party has appeared and submits that he has no objection to the transfer of the petition from Saran at Chapra to Patna but with a rider that he may be allowed to appear through the video conferencing.

4. The lady has assigned the reasons in paragraphs 11 to 14 of the petition which read as follows:-

“11. That the Petitioner is lady and she is unable to travel from Patna to Chapra to contest the aforesaid petition. She is also



under threat to her life.

12. That the petitioner is not in a position to travel to Saran, Chapra from Patna to attend the proceeding of the aforesaid petition on account of her bad financial conditions. It would be very difficult for her to travel from Patna to Saran, Chapra

13. That it is stated that the petitioner is dependen upon her father who does not keep good health. I would be very difficult for the petitioner te pursue the petition for Restitution of Conjuga. Right pending before the learned Principal Judge Family Court, Saran, Chapra on her own.

14) That it is further submitted that the petitioner apprehends threat on her life while traveling alone to Saran for attending the case. Th Opposite Party by taking advantage of th situation can easily cause harm to her compelled her to depose as per his own wish in Matrimonial Case.

5. Learned counsel for the opposite party submits that he only wants early disposal of the suit and further if a decisions is taken, he may be allowed to appear through the virtual mode.

6. 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.



7. In that background, M.J.C. No. 1208 of 2022 is allowed.

8. Let the files of the Restoration of Conjugal Rights Case no. 27 of 2021 be transferred from the court of learned Principal Judge, Family Court, Saran, Chapra to the court of learned Principal Judge, Family Court, Patna, with permission to both the parties either to appear physically or through the video conferencing.

(Rajiv Roy, J)

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