

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1813 of 2023

=====

Kajal W/o Ravi Kumar, D/o- Sri Ram Babu Sah R/o- Ward No. 13, Chhoti Baliya Bazar, P.S.- Baliya, District- Begusarai, at present R/o Village Chainpur, P.O.- Damodarpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

Ravi Kumar, S/o- Shri Shiv Kumar Sahu R/o- Ward No. 13, Chhoti Baliya Bazar, P.S.- Baliya, District- Begusarai.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv
For the Opposite Party/s : Mr. N.K. Agrawal, Sr. Adv
Mr. Amish Kumar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2024 Heard Mr. Ravindra Kumar, learned counsel for the petitioner and Mr. N.K. Agrawal, learned Senior Counsel duly assisted by Mr. Amish Kumar for the opposite party.

2. The present petition has been preferred for transfer of Matrimonial Divorce Case No. 124 of 2022 pending in the Court of learned Principal Judge, Family Court, Begusarai to the Court of Principal Judge, Family Court, Muzaffarpur.

3. It is the case of the petitioner that the marriage took place on 16.02.2020 but they failed to develop the relationship and ultimately in the year 2022, they started living separately which followed number of cases at Muzaffarpur.

4. Subsequently, the opposite party filed matrimonial case No. 124 of 2022 before the learned Principal Judge, Family



Court, Begusarai.

5. The learned counsel for the petitioner submits that though she is a Technical graduate, presently unemployed and fully dependent on her parents for the financial needs.

6. In that background and considering the threat perception also, she may not be able to pursue the case at Begusarai.

7. Mr. N.K. Agrawal, learned Senior Counsel on the other hand submits that the same fear is with the opposite party and has taken this Court to the Town P.S. Case No. 641 of 2023 lodged by the opposite party against the petitioner and her family members under Section 341, 323, 504, 506, 379 and 34 of the Indian Penal Code.

8. Learned Senior Counsel for the opposite party further submits that since, he is working in Bangalore, has no problem in movement but considering the threat perception, he must have the option of appearing through virtual mode also.

9. On the one hand, the petitioner wants transfer of the Matrimonial case to Muzaffarpur, on the other hand, the opposite party who is working in Bangalore wants himself to be accommodated so that he do not have to come from Bangalore on each and every date, this Court finds it appropriate that while



transferring the case from the Court of learned Principal Judge, Family Court, Begusarai to the Court of learned Principal Judge, Family Court, Muzaffarpur, the opposite party must have the liberty to either appear in person or through virtual mode.

10. In that background, the present petition (MJC No. 1813 of 2023) is allowed.

11. Let the Matrimonial Case No. 124 of 2022 be transferred from the Court of learned Principal Judge, Family Court, Begusarai to the Court of learned Principal Judge, Family Court, Muzaffarpur.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

