

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2178 of 2023

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Kritika Kumari Wife of Sri Jitendra Kumar and daughter of Sri Dinesh Chandra, resident of Mohalla-Navchetna Path, Shivpuri, P.S. Gardanibagh at and District-Patna.

... .. Petitioner/s

Versus

Jitendra Kumar Son of Sri Ram Prasad Das, resident of Mohalla-Naya Tola, Kumhrar, Near Vidya Mandir School, P.S. Agamkuan at and District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Kumar, Adv.
For the Opposite Party/s : Mr.Prakash Chandra, Adv

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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 Restitution (Matrimonial) Case No. 104 of 2023 from the court of learned Principal Judge, Family Court, Vaishali at Hajipur to the court of learned Principal Judge, Family Court, Patna.

3. Pursuant to the notice issued on 19.07.2024, the sole Opposite Party has appeared.

4. The lady has assigned the reasons in paragraphs 7 and 8 of the petition which read as follows:-

“7. That the father of the petitioner is not capable to meet the expenses of the petitioner as he is retired from Grade-III post of the Government of Bihar where as her husband is in the serving the Custom Department of the Union of India and getting



Rs.60, 000/- per month and earning Rs.20,000/per month from rent of his own house situated at Mohalla- Kumhrar at Patna.

8. That Opposite Party No.2 does not pay a single paisa to the petitioner and in such a hardship she cannot attend the Court at Hazipur. Thus, for the ends of justice, it is expedient to transfer the instant case from Hazipur to Patna. ”

5. Learned counsel for the Opposite Party submits that he is ready to keep his wife and would like the Family Court to meditate in the matter. Appreciating the said stand and for the reasons assigned by the lady, let the file of Restitution (Matrimonial) Case No. 104 of 2023 be transferred from the court of learned Principal Judge, Family Court, Vaishali at Hajipur 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.

6. Accordingly, M.J.C. No. 2178 of 2023 is allowed.

(Rajiv Roy, J)

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