

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2095 of 2022

Amrita Swaraj D/o Sri Akhilesh Paswan W/o Sri Aryan Raj Resident of Village- Narayanpur, Ghahgi, P.S.- Jasidih, District- Deoghar, Jharkhand, At present residing at Transport Nagar, Chhoti Police Choky, P.S. Agamkuan, District- Patna.

... .. Petitioner/s

Versus

Aryan Raj @ Rajnikant S/o Sri Rampravesh Paswan, resident of Mathurapur, P.S.- Noorsarai, District- Nalanda at BiharShariff, present posted at T.O.D. Jalshakti Mantralaya, Bhuvneshwar, Orissa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Sinha
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-09-2024 Heard the parties.

2. This is an application for transfer of Matrimonial Case No. 139 of 2022 from the court of learned Principal Judge, Family Court, Nalanda at Biharsharif to the court of learned Principal Judge, Family Court, Patna.

3. In this case notice was issued to O.P. on 19.07.2024 and as per office notes dated 04.09.2024, it has been validly served upon sole Opposite Party.

4. The lady has assigned the reasons in paragraphs 17 to 21 of the petition which read as follows:-

“17. That it is respectfully stated and submitted here that the Opposite party being criminal antecedent has given threatening to



the petitioner if she contests at Nalanda then she will ready to face dire consequences.

18. That since the petitioner is poor lady and has got no source of income as also being helpless has been staying at Patna for preparation of medical, and admittedly petitioner is living at Patna which falls within the jurisdiction of the Principal Judge, Family Court, Patna

19. That the petitioner is under going extreme hardship in want of any source of money and hence she is absolutely unable to contest her case effective as also because she has got non at Nalanda with whom she can stay there.

20. That it is humbly stated and submitted here that two cases are pending in the Court of Patna and so it is difficult for the petitioner to attend one case at Nalanda from Patna.

21. That it is humbly stated and submitted that the petitioner is being young lady is not in position to travel alone from Patna to Nalanda and have no male member who can travel with the petitioner each and every dates, so it is difficult for the petitioner to attend case at Nalanda.

5. The prayer/submission is just and proper.



However, 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. 2095 of 2022 is allowed. Let the files of Matrimonial Case No. 139 of 2022 from the court of learned Principal Judge, Family Court, Nalanda at Biharsharif be transferred 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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