

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2830 of 2023

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Nagma Khatoon W/o Aslam Khan, D/o- Md. Aslam, R/o- Village- Washilpur,
P.S. Arwal, District- Arwal P/A residing at Ward No. 11, Suraundha Colony,
Koilarwar, P.S.- Koilarwar, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

Aslam Khan S/o Late Sultan Khan R/o Village- Washilpur, P.S.- Arwal,
District- Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 12-09-2024 Heard learned counsel for the petitioner.

2. In the order no. 3 dated 19.07.2024 typographical
error has occurred in the paragraph 6.

3. The paragraph no. 6 in order no. 3 be read as:

*6. In the meantime, further proceeding
of Matrimonial Case No. 90 of 2022 shall
remain stayed.*

4. The present petition has been filed on behalf of the
petitioner for transfer of Matrimonial Case No. 90 of 2022 from
the Court of learned Principal Judge, Family Court, Jehanabad
to the Court of learned Principal Judge, Family Court, Bhojpur.

5. The lady has assigned the reasons in paragraph
nos. 11 and 12 of the petition which read as follows:-

11. That the petitioner has also filed



Maintenance case no. 11 of 2023 for maintenance but since the court is vacant no notice has not been issued and the petitioner is suffering a lot to maintain herself and her kids since not a single penny is being paid by the respondent husband.

12. That the petitioner is residing at paternal home with two kids and has no independent source of income and her father is an old person having poor health conditions, so she is not in position to stay at Jehanabad or going alone, as father is old and brothers are busy in their work at the place where they are residing, from her paternal home to Jehanabad for contesting the case and is finding it very difficult to pursue the case filed by the Petitioner / opposite party at Jehanabad. Moreover, the Opposite Party/ Petitioner has filed one complaint case in learned CJM Bhojpur, Ara, having complaint case No. 261 (c) of 2022, which is pending in the court of



*learned Sub Divisional Judicial Magistrate
Civil Court Ara.”*

6. In that background, considering the aforesaid stand of the lady, the MJC No. 2830 of 2023 stands allowed.

7. The files of the Matrimonial Case No. 90 of 2022 is transferred from the Court of learned Principal Judge, Family Court, Jehanabad to the Court of learned Principal Judge, Family Court, Bhojpur with permission to both the parties to either appear physically or through virtual mode.

(Rajiv Roy, J)

Adnan/-

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