

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3901 of 2019

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Neha Devi @ Neha Pandey, Wife of Pradeep Kumar Pandey and Daughter of Amarendra Tiwari, resident of Village- Rampur, Police Station- Nawanagar, District- Buxar, At present residing at Village- Tiwarichak, Police Station- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

Pradeep Kumar Pandey, Son of Late Parashuram Pandey, resident of Village- Rampur, Police Station- Nawanagar, District- Buxar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 29-08-2024 Heard Mr. Sudhir Kumar, learned counsel for the petitioner.

2. Despite filing *Vakalatnama* and seeking time, neither the counter affidavit has been filed nor on call, learned counsel for the opposite party has appeared.

3. The present writ petition has been preferred for transfer of Matrimonial (Divorce) Case No. 151 of 2018 (Pradeep Kumar Pandey Vs. Neha Pandey @ Neha Devi) from the court of Principal Judge, Family Court, Buxar to Patna before Principal Judge, Family Court, Patna for safety of life and convenient of petitioner, who is unemployed and has a daughter about 7 years old.

4. Learned counsel for the petitioner submits that



despite the undertaking, no payment has been made, the petitioner is a poor lady, father an old man, fully dependent on him and as such, it is not economically possible for her to go to Buxar as there is threat to her life also.

5. To the claim of the learned counsel for the opposite party that maintenance is being made, Mr. Sudhir Kumar, appearing for the petitioner submits that today itself, he has got information that the payment is not being made.

6. The opposite party will have the privilege of either physically appearing and/or to appear through virtual mode.

7. Considering the economic condition of the petitioner as she is fully dependent upon her father as also she claims that the petitioner has threat to her life in Buxar, it would be appropriate that the matter is transferred to Patna.

8. Accordingly ordered.

9. Let the files of Matrimonial (Divorce Case No. 151 of 2018) (Pradeep Kr. Pandey Vs. Neha Pandey @Neha Devi) be transferred from the Court of learned Principal Judge Family Court, Buxar to the learned Principal Judge Family Court, Patna, forthwith.

10. Both the parties will have the privilege to appear either physically or through virtual mode.



11. Accordingly, the MJC No. 3901 of 2019 is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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