

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4924 of 2019

Vandana Kumari @ Bandana Kumari Wife of Amitesh Kumar Jha, D/o Kshem Nath Jha Resident of Birpur, Ward No.3, House No. G-173, Kosi Yojna, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

Amitesh Kumar Jha S/o Late Premanand Jha R/o Defence Colony Kankarbagh, P.S.- Kankarbagh, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohit Shriwastava, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 29-03-2024 Heard the parties.

2. The present petition has been preferred for transfer of Matrimonial (Divorce) Case No. 902 of 2019 pending in the Court of Principal Judge, Family Court, Patna to Principal Judge, Family Court, Supaul.

3. The petitioner claims that she is a non-working lady, living with her father, an old person and her economic condition is not such that she could come and appear from Supaul to Patna.

4. The further submission is that no economic help is being extended by the opposite party and he has also solemnized second marriage.

5. Upon notice issued by the co-ordinate Bench on 07.07.2022, the sole opposite party has appeared.



6. The counter allegations are also there by the husband and this Court need not go into those charges put forward by both of them in course of hearing.

7. The husband is working and economically sound to appear before the competent Court, the learned Principal Judge, Family Court, Supaul. On the other hand, the economic condition of the lady, who is a non-working lady and dependent upon her parents, has to be taken into consideration.

8. While issuing notice, the co-ordinate Bench had stayed the further process of the case in question.

9. It is a fit case in which the prayer of the petitioner be allowed. The Matrimonial (Divorce) Case No. 902 of 2019 pending in the Court of Principal Judge, Family Court, Patna is transferred to the Court of the Principal Judge, Family Court, Supaul.

10. The MJC No. 4924 of 2019 is allowed.

(Rajiv Roy, J)

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