

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1287 of 2022

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Priti Wife of Kumar Pankaj, Daughter of Ravindra Kumar Resident of Mohalla- B.B. Ganj, Near Bhola Chips, Bhagwanpur, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

Kumar Pankaj Son of Late Ashok Kumar Singh Resident of Village- Narharpur, P.S.- Marhaura, District- Saran, Pin Code- 841443.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 12-09-2025

Heard the learned Advocate for the petitioner.

2. There is no representation on behalf of the opposite party.

3. Earlier also, when the matter was taken up on 30.08.2025, the Court having taken note of the fact that despite notice having been validly served, there is none to represent the opposite party. Indulgence was shown and the matter has been placed today.

4. The application has been filed for transfer of a case bearing RCR Case No. 154 of 2021 filed by the opposite party from the court of learned Principal Judge, Family Court, Saran at Chapra to the court of learned Principal Judge, Family Court, Muzaffarpur.



5. Learned Advocate for the petitioner submitted that besides the fact the petitioner was subjected to demand of dowry and torture leading to institution of Complaint Case No. 2455 of 2020 on 12.11.2020 before the learned Chief Judicial Magistrate, Muzaffarpur, for the offences punishable under Sections 323, 307, 379, 504 and 498A of the Indian Penal Code; the opposite party had also filed a matrimonial case bearing Divorce Case No. 160 of 2022, pending before the learned Principal Judge, Family Court, Saran at Chapra. The petitioner, being a lady having two minor children and no adequate financial assistance, also apprehending danger and threat of dire consequences at the hands of the opposite party, feeling all the difficulty to attend and pursue her Divorce Case No. 160 of 2022 efficiently. Hence, she had earlier approached this Court in MJC No. 133 of 2024 for transfer of the aforesaid case from the court of learned Principal Judge, Family Court, Saran at Chapra to the court of learned Principal Judge, Family Court, Muzaffarpur and the Court having taken note of the aforesaid facts has been pleased to accede the prayer of the petitioner and transferred the Divorce Case No. 160 of 2022 to the court of learned Principal Judge, Family Court, Muzaffarpur vide order dated 27.06.2024, copy of which is placed on record.



6. Considering the submissions advanced by the learned Advocate for the petitioner and taking note of the fact that the petitioner is a lady and has been taking care of two minor children and now two of the cases are pending at Muzaffarpur, besides her submission of facing threat for any untowards incident and moreover, despite valid service of notice the opposite party did not choose to appear, in the interest of justice, the present application stands allowed.

7. Let the record of Case No. (RCR No. 154 of 2021) be transferred from the court of learned Principal Judge, Family Court, Saran at Chapra to the court of learned Principal Judge, Family Court, Muzaffarpur.

8. After receipt of the record, the learned Principal Judge, Family Court, Muzaffarpur shall issue fresh notice to the opposite party, so that he ensures his appearance in the matter.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	15 .09.2025
Transmission Date	

