

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4054 of 2024

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Kumari Shivangi @ Shivangi Aggrawal Wife of Ashish Kumar @ Ashish Sultania, Daughter of Praveen Kumar Agarwal, Resident of Maheshkhut Bazar, PS-Maheshkhut, District-Khagaria

... .. Petitioner/s

Versus

Ashish Kumar @ Ashish Sultania Son of Pashupatinath Sultania at Present residing Madhepura Nagar Parishad, Ward no. 20, Guljarbagh Mohalla, PS and District-Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Anjani Kumar Jha
For the Opposite Party/s :	Mr. Siddhartha Prasad
	Mr. Om Prakash Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2025 Heard learned counsel for the petitioner and learned counsels for the opposite parties.

2. By filing the present application, the petitioner has prayed for transfer of Matrimonial Case No. 31 of 2022 either before the court of learned Principal Judge, Family Court, Khagaria or the court of learned Principal Judge, Family Court, Patna from the court of the Principal Judge, Family Court, Madhepura.

3. A joint compromise petition has been filed on behalf of the parties on 20.01.2025 and in para 4, it is stated that both the parties have settled the issues arisen in case of dissolution of marriage. Those terms are as follows:

(i) The marriage between the parties is to be dissolved by



mutual consent by a decree of divorce.

(ii) There is one son born out of wedlock from the said marriage, and at present he is residing with his mother and custody of the child shall be given to mother.

(iii) That as one time settlement the Opposite Party (husband) shall give Rs. 17,00,000/- (Seventeen Lakhs) to the petitioner wife on first motion of the Divorce case through demand draft.

(iv) That the belongings of the petitioner which is lying in the house of opposite party shall be returned by him and in this regard no dispute shall be created by the petitioner.

(v) That after getting the settlement amount the petitioner wife shall take steps to close the Complaint Case No. 675(c)/2019 pending before the court of learned CJM, Khagaria and also petitioner wife shall withdraw the execution case arising out of maintenance case bearing case no. 46 (M) of 2019 before the learned Principal Judge, Family Court, Khagaria after getting the settlement amount.

(vi) That the both the parties will make all possible efforts for getting the decree of divorce and after grant of divorce the parties would be free to lead their respective life according to their choice.



(vii) That in future both of them will not make any type of claim for each other.

4. Considering the arguments of the parties as well as the compromise petition, I deem it fit to direct the court of the Principal Judge, Family Court, Madhepura to transfer the Matrimonial Case No. 31 of 2022 to the court of the Principal Judge, Family Court, Khagaria, who is obliged to decide the matter on the basis of the compromise petition filed on behalf of the parties in this Court within a period of two months from the date of receipt/production of a copy of this order.

5. With the aforesaid directions, the application stands disposed of.

(Anjani Kumar Sharan, J)

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