

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4188 of 2014

Pinki Kumari Daughter of Late Shyam Narayan Prasad and W/o Sachin Kumar @ Mukesh Resident of Village-BAsbigha, P.O.-Basbigha, District-Patna at present residing at Mohalla-Khemnichak Subhash Nagar, P.S.-Ram Krishna Nagar, District-Patna.

... .. Petitioner/s

Versus

Sachin Kumar @ Mukesh Son of Sri Ganauri Mahto Resident of Village-Katru Bigha, P.S.-Bisaybigha, P.O.-Parwalpur, District-Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 25-06-2026 Heard the parties.

2. The present petition has been preferred for:

That this petition has been filed by the petitioner for transfer of divorce case No- 8/2012 (Schin Kumar@Mukesh Vs Pinki Kumari) from the court of Principle Judge, Family Court at Biharsharif Dist- Nalanda to the court of Principal Judge, Family Court or Additional Principal Judge/ Additional Family Court Patna as the petitioner is residing in the District of Patna and at presently residing at Patna and/or pass such other order or orders as your lordship may deem fit and proper.

3. The previous order shows that the notice has been validly served upon the opposite party. The petitioner claims that she is presently residing at Barbigha, Patna, where her parents live after being ousted from the house of the in-laws.



4. The opposite party has filed Divorce Suit No. 08 of 2012 before the learned Principal Judge, Family Court, Nalanda at Biharsharif, only to harass her. She do not have economic support to contest the matter before the concerned justice.

5. This Court is of the view that now when the video conferencing is available to the opposite party, he can contest the matter without coming to Patna if the case is transferred. In view of the inability of the petitioner to appear before the Nalanda Justice as recorded above, no prejudice will cause to him.

6. In that background, MJC No. 4138 of 2014 stands disposed of with a direction that the file of divorce case no. 08 of 2012 (Sachit Kumar as Mukesh versus Pinki Kumari) be transferred from the Court of Learned Principal judge, Family Court, Biharsharif to that of the Learned Principal Judge, Patna at an earliest.

7. The party shall be free to appear in the proceeding either physically and/or through video conferencing.

8. MJC No. 4138 of 2014 is disposed of with aforesaid observations.

(Rajiv Roy, J)

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