

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1467 of 2023

Puja Kumari W/O- Manoj Sah, D/O- Ramjit Sah, R/O Shyam Chowk, P.O.-
Bhagwan Bazar, P.S.- Bhagwan Bazar, District- Saran at Chapra. Pin- 841301.

... .. Petitioner/s

Versus

Manoj Sah S/o- Ramayan Sah, R/o- Presently- Halim chowk, Nawab Bagh,
Colony, P.S and P.S. and District- Kishanganj, Pin 855107, Permanent R/O
Village- Enai, P.O- Enai, P.S. Revilganj, District- Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tej Pratap Singh, Advocate
For the Opposite Party/s	:	Mr. Ramakant Sharma, Sr. Advocate
	:	Mr. Rakesh Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 03-04-2026 Heard Mr. Tej Pratap Singh, learned counsel for the

petitioner and Mr. Ramakant Sharma, learned Senior Counsel

representing the opposite party.

2. The present petition has been preferred for the
grant of following relief(s):

*“for transfer of Matrimonial Suit No.09 of
2022 pending in the court of learned Principal
Judge, Family Court, Kishanganj to the learned
court of learned Principal Judge, Family Court,
Saran at Chapra which has been filed by the
opposite party/plaintiff against the petitioner on
03.02.2022 for dissolution of marriage.”*



3. On the last occasion (18.02.2026), it was insisted by Mr. Mayank Raj, learned counsel attached to the office of learned Senior Counsel that the matter is placed for judgment. In that background, the following order was passed:

“When the case was called out, learned counsel representing the sole opposite party submits that the pleadings have been completed and the case was posted for judgment when the order of the High Court was passed staying the further proceeding.

2. The least that was expected from the opposite party is/was to produce the order-sheet of the Family Court, Kishanganj in Matrimonial Suit No. 09 of 2022.

3. Learned counsel for the opposite party submits that on the next date of hearing, he shall be producing the ordersheet and shall also file an affidavit.

4. It is made clear that if the contention put forward by the learned counsel for the opposite party that Matrimonial Suit No. 09 of 2022 is placed for judgment is found to be



incorrect, an appropriate order shall be passed.

5. List this case on 20.03.2026.”

4. Learned Senior Counsel submits that it was a wrong submission for which the sole opposite party submits apology.

5. This Court refrains from making any comment in the said matter but can only advice Mr. Mayank Raj that he should be careful in future.

6. This Court had taken note of the fact on 29.08.2024 itself while issuing notice to the opposite party and further proceeding of the Matrimonial Case No. 09 of 2022 pending before the Family Court, Kishanganj was stayed.

7. Further, contrary to the statement made on 18.02.2026 by Mr. Mayank Raj, the case is still pending.

8. Considering the aforesaid facts as also the distance that the lady will have to cover who is blessed with a minor child and have no economic support, in that background, this Court is of the opinion that the case be transferred from the Court of learned Principal Judge, Family Court, Kishanganj to that of learned Principal Judge, Family Court, Saran at Chapra.

9. This Court further records that the sole opposite party shall be free to appear before the learned Principal Judge,



Family Court, Saran at Chapra either physically or through virtual mode.

10. With the aforesaid observation MJC No. 1467 of 2023 stands disposed of.

(Rajiv Roy, J)

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