IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1810 of 2025
In
CRIMINAL MISCELLANEOUS No.19188 of 2025

CNR No. BRHC010497792025

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Lalita Kumari @ Lalita W/o Dr Sunil Kumar @ Sushil @ Sunil Kumar D/o Chandrika Prasad Shah, resident of Priyadarshini Nagar, Dhobiya Kothi, South of Airport, P.S. - Tilkamanjhi, District - Bhagalpur.

... ... Petitioner/s

Versus

Dr Sunil Kumar @ Sunil Kumar @ Sushil S/o Rambilash Shah resident of village Agwani mauja, P.S.- Khagaria, District- Khagaria presently posted as teacher at upgraded Middle School, Udhadih, P.S. - Sultangunj, District- Bhagalpur.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : None
For the Opposite Party/s : Mr. Samir Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 28-10-2026 No one appears on behalf of the petitioner though Mr. Samir Kumar, learned counsel for the opposite party is present.

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

"for transfer of Matrimonial Divorce Case No. 106 of 2023 pending in the Court of learned Principal Judge, Family Court, Khagaria to the Court of learned Principal Judge, Family Court, Bhagalpur."

3. The contention is that she has apprehension of

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doing any wrong on the part of the opposite party and during the appearance, she found someone chasing her.

4. Learned counsel for the opposite party submit that said apprehension is fit to be rejected inasmuch as he has never thought of causing injury to the lady. Further, the place of her posting is such that both Bhagalpur and Khagaria are equally suitable for her. However, as the matter is at an advanced stage if at all the transfer is taking place, the same be disposed of at an earliest.

5. This Court finds force in the submission of learned counsel for the opposite party. When only the petitioner's side are to be examined, the concerned court can ensure that the present case is disposed of at an earliest and in any case, within a period of six months.

6. Further, both the parties will have option to either appear physically or through video conferencing.

7. Accordingly, the Matrimonial Divorce Case No. 106 of 2023 is hereby transferred from the Court of the learned Principal Judge, Family Court, Khagaria to the Court of the learned Principal Judge, Family Court, Bhagalpur with liberty to both parties to appear either physically or virtually through video conferencing.

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8. In the event that the learned Principal Judge, Family Court, Bhagalpur considers the physical presence of the parties necessary for the purpose of mediation, an appropriate order may be passed directing the parties to remain physically present on the particular date fixed for such mediation.

9. The MJC No. 1810 of 2025 stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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