

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1992 of 2024

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Nitu Kumari @ Sulekha Kumari Wife of Kundan Kumar Daughter of
Bhushan Prasad Resident of Badki Khadwa, Ward no.3, P.O.-Lal Bigha, P.S.-
Dulhin Bazar, District-Patna.

... .. Petitioner/s

Versus

Kundan Kumar Son of Shailendra Singh Resident of Village-Barhiya Bag,
P.O.-Karpi, P.S.-Karpi, District-Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr Anunay Shahi, Adv.

Mr. Shivendra Prasad, Adv.

Mr. Nitish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 09-01-2026

Heard learned Advocate for the petitioner and the
learned Advocate for the opposite party.

2. The application has been filed for transfer of
Matrimonial (Divorce) Case No. 60 of 2024 from the court of
learned Principal Judge, Family Court, Jehanabad to the court of
learned Principal Judge, Family Court, Patna

3. Learned Advocate for the petitioner submitted that
the marriage of the parties was solemnized on 19th May, 2021.
However, soon after the marriage, she was subjected to demand
of dowry and torture in various ways including ousted from the
matrimonial home. Besides, the aforesaid facts, Matrimonial
(Divorce) Case No. 60 of 2024 was also filed in the court of
learned Principal Judge, Family Court, Jehanabad. Since the



petitioner is a woman and residing along with her aging parents and there is no one to look after her, besides she is also facing difficulty in attending the proceeding of the cases due to long distance, as such, the present application for transfer of divorce case.

4. On the last occasion, when the matter was taken up, this Court had directed the learned Advocate for the opposite party to get instruction from his client regarding payment of monthly maintenance/litigation cost/traveling cost. Today when the matter is taken up, Mr. Anunay Shahi, learned Advocate for the opposite party apprised this Court that the husband-opposite party is ready to pay Rs.4,000/- for litigation cost/travelling cost. Moreover, the distance of Jehanabad is not so much which will cause any inconvenience to the petitioner, is the contention of the learned Advocate for the opposite party.

5. Learned Advocate for the petitioner submits that the petitioner is a woman, dependent upon her parents, who are elderly ailing parents and there is no other source of livelihood and, as such, the amount of Rs.4,000/- is so meager and, thus, in such circumstances, she presses the application for transfer of divorce case to meet the ends of justice.

6. Having considered the submissions advanced by



the learned Advocate for the respective parties and taking note of the fact that the Matrimonial (Divorce) Case No. 60 of 2024 is pending in the court of learned Principal Judge, Family Court, Jehanabad, which is at the distance of around 50-60 kilometres from Patna and the opposite party is also willing to pay a sum of substantive amount for travelling and litigation cost, this Court is not persuaded for transfer of the Matrimonial (Divorce) Case No. 60 of 2024. However accepting the submission on behalf of the opposite party, this Court directs the opposite party to ensure payment of Rs.5000/- per month to the petitioner which shall be credited in her Bank account duly furnished by the petitioner, in the last week of every month, till any further order is passed by the competent court.

7. Suffice it to observe that in case the petitioner files any maintenance case or prays for any interim financial benefits, the order passed by this Court shall also be taken note of.

8. The transfer petition stands disposed of with the aforesaid direction.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	12 .01.2026
Transmission Date	

