IN THE HIGH COURT OF JHARKHAND AT RANCHI
Transfer Petition (Criminal) No. 9 of 2026
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Dr. Ravikant Agarwal @ Ravi Kant, Aged about 39 years, S/o. Prawash Chandra Agarwal, R/o Flat No. 503, Dew Vasundhara Palm Island, Karamtoli Chowk, P.O. Morabadi, P.S. Bariatu, District- Ranchi, Aadhar No. 4364 1703 2468

……Petitioner

Versus

Smt. Shruti Agarwal, Aged about 25 years, W/o- Dr. Ravikant Agarwal, D/o Shri Pradeep Kumar, R/o – Mission Road, Lohardaga, P.O. & P.S. Lohardaga, District.- Lohardaga, Jharkhand **……Opp. Party**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Ms. Kavita Singh, Advocate
For the Opp. Party : Mr. Shivam Singh, Advocate

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Order No.06/02nd September, 2026

1. This Transfer Petition has been filed on behalf of the petitioner-husband under Section 447 of the BNSS, 2023 for transfer of Original Maintenance Case No. 11 of 2026 from the Court of learned Principal Judge, Family Court, at Lohardaga, Jharkhand to the Court of learned Principal Judge, Family Court, Ranchi, which is now pending in the Court of the learned Principal Judge, Family Court at Loharadaga.

2. During course of argument, learned counsel for the petitioner has submitted that the petitioner (husband) is a handicapped person and unable to walk properly and even he had implanted pacemaker and also suffering from post-polio residual paralysis and has gone to surgery in the year 2022. It is further submitted that the petitioner is ready to pay a reasonable cost to the opposite party – wife for coming to Ranchi from Lohardaga district. It is further submitted that when the petitioner (husband) educated the opposite party (wife) and the opposite party (wife) had done the course of dietician.

3. Learned counsel for the petitioner has further submitted that the petitioner (husband) is ready to pay a sum of Rs.5,000/- (Rs.Five thousand) to the opposite party (wife) for coming Family Court, Ranchi from Lohardaga District on each and every date, if she arrives.

4. Learned counsel for the petitioner has further placed reliance in the case of Anil Kumar Singh vs. Dewanubhuti vide order dated 06.02.2023 passed in Transfer petition (C) No. 1036 of 2021 by the Hon'ble Supreme Court.

In view of the above, it is submitted that this transfer Petition (Criminal) no. 9 of 2026 may be allowed.

5. Learned counsel for the opposite party has opposed the prayer of the petitioner and submitted that petitioner is the husband and thoroughly neglected the his wife and daughter. It is further submitted that the petitioner (husband) is a Radiologist and has got several staffs and owns a car. It is further submitted that the opposite party-wife is having a daughter aged around 4 years and it will be inconvenient to her for coming Ranchi. It is submitted that the opposite party (wife) is dependent upon her parental house for maintaining herself and her daughter and hence this transfer petition may be dismissed.

6. Having heard learned counsel for both the parties and from going through the records of this case, it appears that marriage between the petitioner (husband) and opposite party (wife) was solemnized the marriage on 28.11.2019 as per Hindu rites and customs and the opposite party – wife has left her matrimonial home and both are living separately. Presently, the opposite party (i.e. wife) has filed Original Maintenance Case No. 11 of 2026 before the learned Principal Judge, Family Court, Lohardaga for grant of maintenance of Rs.60,000/- per mother for

herself and Rs. 45,000/- per month for her daughter i.e. the total amount of Rs. 1,05,000/- per month from the petitioner (i.e. husband).

7. It also appears from the averments made in para – 9 of the Transfer Petition that the petitioner (husband) is suffering from multiple diseases as follows:-

(i). Post-Polio residual paralysis,

(ii). Neck of the left femur fracture in 2022 (surgery conducted on 10.11.2022) and recent left total hip replacement in 2025 and

(iii). Serious cardiac conditions inclining pacemaker implantation in 2013, upgraded to CRT in 2024 and atrial fibrillation and dilated cardiomyopathy.

8. It appears that the mediation between the parties has failed in Original Maintenance Case No. 11 of 2026 and mediation between the parties has also failed before the JHALSA, which is evident from the letter dated 08.07.2026 sent by learned Member Secretary, JHALSA.

9. However, it also appears that petitioner (husband) has offered of Rs.5,000/- to be paid to the opposite party (wife) for coming to Civil Courts, Ranchi on her appearance before the learned Trial Court on each and every date.

10. However, this Court is of the view that petitioner (husband) must pay a sum of Rs.10,000/- (Ten Thousand) cash or by way of demand draft in the name of the opposite party (wife), for coming to Civil Courts, Ranchi on every date of proceeding till the disposal of Original Maintenance Case No. 11 of 2026.

11. Hence, this Court directs the petitioner (husband) to pay a sum of Rs.10,000/- to the opposite party (wife) for coming to Family Court, Ranchi from Lohardaga district on each and every occasion positively.

The amount of Rs.10,000/- (Ten Thousand) shall be paid

to the opposite party (wife) only on her appearance before the learned Trial Court.

12. However, in the meantime, the petitioner (husband) is directed to pay a sum of Rs.50,000/- in advance to the opposite party (wife) for coming to Ranchi before the learned Principal Judge, Family Court Ranchi, which shall be adjusted on subsequent dates.

It is further clarified that if the petitioner fails to deposit the maintenance amount on any specific date, then it will be the duty to the learned Trial Court to recover the same from the petitioner (husband).

However, if the petitioner (husband) fails to pay the said amount of Rs.50,000/- to the opposite party (wife) within fifteen (15) days then the opposite party will be at liberty to move before this Court for passing an appropriate order.

13. Learned Principal Judge, Family Court, Ranchi is directed to decide the case as expeditiously as possible preferably within a period of one year.

14. Accordingly, the Transfer Petition (Criminal) No.9 of 2026 is allowed with the direction mentioned above and stand disposed of.

15. The learned Principal Judge, Family Court, Lohardaga is directed to transmit the entire records of Original Maintenance Case No.11 of 2026 to the Court of learned Principal Judge, Family Court, Ranchi.

16. Let a copy of this order be sent to the learned Principal Judge, Family Court, Lohardaga and learned Principal Judge, Family Court, Ranchi for the needful.

(Sanjay Prasad, J.)

Dated – 02.09.2026.
Nishant/-