

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Transfer Petition (Civil) No. 61 of 2025

Omanti Devi, aged about 28 years, wife of Anil Mahto and D/o Gulab Prajapati, R/o-village-Block, Colony Chandwa, P.O. + P.S.-Chandwa, Dist. Latehar
 **Petitioner**

Versus

Anil Mahto, aged about 34 years, son of Late Hiranman Mahto, resident of village-Kairo, P.O. + P.S.-Kairo, Dist. Lohardga **Opp. Parties**

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR
SRIVASTAVA

For the Petitioner : Mr. Nandan Prasad, Advocate
 For the Opp. Parties :

Order No. 07/ Dated: 18th September, 2025

Heard learned counsel for the petitioner.

2. Notice has validly been served but none appears to contest this petition.

3. The instant petition has been filed under Section 24 of the Code of Civil Procedure for transfer of Original Suit No. 20 of 2025 from the Court of Learned Principal Judge, Family Court, Lohardga to the Court of Learned Principal Judge, Family Court, Latehar.

4. Learned counsel for the petitioner submits that the marriage of petitioner was solemnized with the Opp. Party on 12.03.2019. Further it is submitted that after the marriage petitioner went to her matrimonial home and resided with her husband (Opp.Party) at Kairo, Lohardga and lived peacefully for a very short span of time and from this wedlock, petitioner have been blessed with one child namely Adarsh Kumar Prajapati (Son, aged about 6 years). It is submitted that opp.party has filed a case under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights being O.S. No. 20/2025.

5. It is submitted that she being a lady, having one child and not having any support or help to accompany her from Latehar to Lohardga,

cannot defend case and go alone and come back from outside of her home town i.e. Latehar. It is also submitted that it is not possible for her to travel from Latehar to Lohardga on same day by any means. It is also submitted that her husband is somehow putting pressure, physically or mentally by harassing her to get divorce from her.

6. It is further submitted that petitioner was subjected to torture and cruelty and also assaulted by her husband (opp. party) and his family member for which petitioner has given First Information Report to Mahila Thana, Latehar and therefore she is living in her *maika*. She has fear for her safety due to ongoing harassment and threats from her husband and petitioner is financially dependent on her father and therefore, it is very difficult for her to attend the Original Suit No. 20/2025 filed by her husband under Section 9 of the Hindu Marriage Act for restitution of conjugal rights, therefore, in the ends of justice and for proper pursuing the case, the aforesaid Original Suit No. 20 of 2025 pending before the Court of Learned Principal Judge, Family Court, Lohardga be transferred to the Court of Learned Principal Judge, Family Court, Latehar.

7. Considering the aforesaid submissions of the petitioner and the grounds taken by the petitioner, it appears expedient to the ends of justice to transfer Original Suit No. 20 of 2025 from the Court of Learned Principal Judge, Family Court, Lohardga to the Court of Learned Principal Judge, Family Court, Latehar.

8. Accordingly, the proceeding of Original Suit No. 20 of 2025 pending before the Court of Learned Principal Judge, Family Court, Lohardga is hereby transferred to the Court of Learned Principal Judge, Family Court, Latehar.

9. In result, the instant transfer petition is allowed.

(Pradeep Kumar Srivastava, J.)

18.09.2025
Basant