

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Transfer Petition (Civil) No.72 of 2025

Sadaf Eqbal, aged about 28 years, D/o Eqbal Ansari, R/o Vill - Islampur, P.O. + P.S + Dist - Gumla, Jharkhand.

... Petitioner

Versus

Md. Maksud Alam @ Md. Maksud Ansari, aged about 35 years, son of Akhtar Ansari @ Md. Akhtar Alam, R/o College Road, Simdega, P.O + P.S + Dist - Simdega, Jharkhand

... Opp. Party

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner : Mr. Ajeet Kumar Singh, Adv.
For the O.P. : None

Order No.06/Dated- 27.11.2025

1. Learned counsel for the petitioner is present. Notice has been served to nephew of the opposite party on 25.09.2025 but he did not appear in person or through counsel.
2. Heard learned counsel for the petitioner.
3. The present transfer petition has been filed under Section 24 of the Code of Civil Procedure for transfer of M.T.S. No.17 of 2025, filed by the husband (opposite party) against the present petitioner (wife) for restitution of conjugal rights under Section 281 of the Mohammedan Law, from the Court of Principal Judge, Family Court, Simdega to the Court of Principal Judge, Family Court, Gumla.
4. It has been submitted by learned counsel for the petitioner that the petitioner was married with the opposite party/husband on 30.11.2020. The husband/opposite party and his family members have been demanding additional dowry and assaulted physically, tortured her mentally and compelled her to sleep by hunger and after suffering of mental agony given by them, the petitioner fallen sick. It is further submitted that when the petitioner told them to make her treated, they ousted her from in-law's house and boarded in the bus towards Gumla, since then she has been living in her parental house

Gumla. She has lodged the case on 16.04.2025 being Mahila P.S. Case No.09 of 2025 at Gumla under Sections 126(2), 115(2), 85/3(5) of the B.N.S. and 3/4 of the Dowry Prohibition Act against the family members of in-law's house. It is further submitted that the petitioner has no source of income and is fully dependent upon her parents, who is old and poor, for livelihood. The petitioner's parents are of old age who are not in a position to accompany her from Simdega to Gumla. Due to threat of dire consequences extended by the husband/opposite party and his family members, it is quite impracticable for the petitioner to contest the suit at Family Court, Simdega as well as petitioner is unable to meet essential expenses related to travel, food or attending the ongoing case before the learned Court of Principal Judge, Family Court, Simdega on each and every date to prosecute the aforesaid suit filed by her husband, therefore, it is prayed that the said M.T.S. No.17 of 2025 may be transferred from the Court of Principal Judge, Family Court, Simdega to the Court of Principal Judge, Family Court, Gumla.

5. Considering the overall aspects of the case and the submissions on behalf of the petitioner, I feel inclined, in the ends of justice, to **allow** the prayer of the petitioner.
6. Accordingly, the proceedings of M.T.S. No.17 of 2025 pending before the Court of Principal Judge, Family Court, Simdega is hereby transferred to the Court of Principal Judge, Family Court, Gumla.
7. The present transfer petition stands disposed of.

(Pradeep Kumar Srivastava, J.)