

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Transfer Petition (Civil) No.65 of 2025

Ranju Kumari, aged about 48 years, wife of Mr. Krishna Kumar Prasad, Daughter of Shanti Rajak, resident of Sai Baba Apartment Plot no 2, 1st Floor, Chira Chas, P.O. & P.S. Chas, District Bokaro, Jharkhand, P/a-Khajuria, P.O. – Khajuria, P.S. – Sidhwalia, Dist.- Gopal Ganj, Bihar.

... Petitioner

Versus

Krishna Kumar Prasad, son of Late Viswanath Prasad, resident of BG 175 Ground Floor, Jova Khana, P.O., P.S. Babuiar & District 24 Pargana, Jharkhand, P/a-Qno-G-1, 67(A), area-4, P.O-Maithan Dam, P.S.- Chirkunda, District-Dhanbad.

... Opp. Party

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner : Mr. Brij Bihari Sinha, Adv.
For the Opposite Party : Md. Sajid Yunus, Adv.
Mr. Vikesh Kr. Pandey, Adv.

Order No.06/Dated- 27.11.2025

1. Heard learned counsel for the parties.
2. The present transfer petition has been filed under Section 24 of the Code of Civil Procedure for transfer of Original Suit No.1136 of 2024 filed by the husband (opposite party) against the present petitioner (wife) under Section 13(1)(ia) of the Hindu Marriage Act, 1955, from the Court of Principal Judge, Family Court, Dhanbad to the Court of Principal Judge, Family Court, Bokaro.
3. It has been submitted by learned counsel for the petitioner that although the petitioner is a working lady and posted as a Headmaster in N.P.S. School in Gopalganj (Bihar) but her parental house is situated in District Bokaro and she used to come at her parental home to look after his mother, father and the children. The case filed by her husband under Section 13(1)(ia) of the Hindu Marriage Act may be more conveniently

contested by the petitioner in the Family Court, Bokaro without any extra expenses incurring to her. She is not being provided any maintenance or any other financial support from her husband and has to maintain her children out of her own income and also to litigation cost lodged at the instance of her husband. The petitioner has not instituted any case against her husband. Therefore, in the ends of justice, the divorce case instituted by the opposite party against the petitioner may kindly be transferred to the Court of Principal Judge, Family Court, Bokaro.

4. Learned counsel for the opposite party/husband has vehemently opposed the aforesaid contentions and submitted that one daughter of the parties resides at Chandigarh in pursuing her studies and another son about three years' old is residing with her mother at Gopalganj. Therefore, there is no necessity to make the transfer of the case at the parental home of the petitioner where no one reside and this petition is fit to be dismissed.
5. Considering the rival contentions of the parties and the rival convenience of the parties in prosecuting the suit, the comparative hardship leans in favour of the petitioner (wife) who works at another State of Bihar (Gopalganj) as a Headmaster and also bearing the cost of education of two children and she has also to manage the cost of litigation lodged at the instance of her husband who is also working in a private company in Kolkata. At the time of institution of the suit, he was residing at Dhanbad. Therefore, it would also not be inconvenient to the opposite party (husband) to appear before the Family Court of Bokaro for prosecuting his case.
6. In view of the circumstances and considering the convenience of both the parties, the transfer petition is **allowed**. Accordingly, the proceedings of Original Suit No.1136 of 2024 pending before

the Court of Principal Judge, Family Court, Dhanbad is hereby transferred to the Court of Principal Judge, Family Court, Bokaro.

7. The present transfer petition stands disposed of.

(Pradeep Kumar Srivastava, J.)

Dated: 27th November, 2025

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