

GAHC010009712017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Tr.P.(C)/4/2017

SMT. RINKU DAS MAJUMDAR
W/O SRI BIKRAM MAJUMDAR, R/O GANGAPARA, P.O., P.S. and DIST-
DIBRUGARH, ASSAM

VERSUS

BIKRAM MAJUMDAR
S/O SRI BOJOY KUMAR MAJUMDAR, R/O SANKAR DEV NAGAR, MAKUM,
P.O. and PS. MAKUM, DIST- TINSUKIA, ASSAM

Advocate for the Petitioner : MR.R S MISHRA, MR.A K GUPTA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

09.08.2024

Heard Mr. R.S. Mishra, learned counsel for the petitioner.

2. Though the respondent has received notice, in view of the order of Lawazima Court dated 16.05.2024, none appears for the respondent today on call.

3. This petition, under Section 24 of the Code of Civil Procedure (C.P.C.), is preferred by the petitioner, namely, Smt. Rinku Das Majumdar, for

transferring the Title Suit (M) No. 82/2016, from the court of learned District Judge, Tinsukia to the court of learned District Judge, Dibrugarh.

4. Mr. Mishra, learned counsel for the petitioner submits that the respondent has instituted a Title Suit, being Title Suit (M) No. 82/2016, before the learned District Judge, Tinsukia for decree of divorce from the respondent under Clause (ia) of Sub-Section (1) of Section 13 of the Hindu Marriage Act, 1955. Mr. Mishra further submits that the grounds for transfer of Title Suit (M) No. 82/2016, are that the petitioner has no source of income and now she is living with her old and ailing mother at Sripuria Bhanga Kalibari, at Dibrugarh, which is situated at a distance about 45 k.m. from Tinsukia and therefore, it is contended to allow the petition.

5. As stated earlier, the respondent though received the notice, remained unrepresented today.

6. The grounds so assigned for transferring the suit from Tinsukia to Dibrugarh, appears to be genuine and moreover, the respondent has chooses not to contest the petition and therefore, this Court is inclined to allow the petition.

7. Accordingly, it is provided that the Title Suit, being Title Suit (M) No. 82/2016, pending before the learned District Judge, Tinsukia shall be transferred to the learned District Judge, Dibrugarh.

8. In terms of above, this transfer petition is disposed of.

JUDGE

Comparing Assistant