

GAHC010024542024



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

Case No. : Tr.P.(C)./7/2024

SANGITA DAS
W/O- SRI BALARAM PAUL, D/O- SRI SUDHIN DAS, R/O- BAHADURTARI,
WARD NO. 11, DHUBRI TOWN,P.O., P.S. AND DIST. DHUBRI, ASSAM

VERSUS

BALARAM PAUL
S/O- SRI RANJIT KR. PAUL, R/O- VILL.- AND P.O. LALMATI TUMBAGAON,
PS. KAZIGAON, DIST. KOKRAJHAR, ASSAM, PIN- 783332.

Advocate for the Petitioner : MRS. S ROY

Advocate for the Respondent : MR. A DAS

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 20-03-2024

This is an application under Section 24 read with Section 151 of the Civil Procedure Code, 1908 (for short, the Code) for transfer of T.S.(R) Case No. 09/2023 pending in the Court of the learned District Judge, Kokrajhar to the learned Principal Judge, Family Court, Dhubri.

2. The case of the petitioner is that the petitioner and the respondent are both husband and wife and on account of certain matrimonial dispute, the petitioner left her matrimonial home and presently residing in her parental home at Dhubri. It is relevant to take note of that both the petitioner and the respondent are permanent residents within the district of Dhubri.
3. From a perusal of the averments, it has been categorically mentioned that the marriage between the parties was solemnized on 07.08.2016 at Dhubri. In addition to that, this Court finds it relevant to take note of that the petitioner is a lady and has no source of independent income.
4. Under such circumstances, this Court transfers the T.S.(R) Case No. 09/2023 from the Court of the learned District Judge, Kokrajhar to the learned Principal Judge, Family Court, Dhubri.
5. The learned District Judge, Kokrajhar is hereby directed to forthwith upon receipt of a copy of this instant order to transfer the case records of T.S.(R) Case No. 09/2023 to the Court of the learned Principal Judge, Family Court, Dhubri.
6. The Registry is further directed to intimate the Court of the learned District Judge, Kokrajhar as well as the learned Principal Judge, Family Court, Dhubri about the instant order.
7. Taking into account that the petitioner herein has not yet filed the written statement, the petitioner shall file her written statement on the next date fixed in the Court of the learned Principal Judge, Family Court, Dhubri. Accordingly, this Court fixes the matter for appearance of both the parties before the learned Principal Judge, Family Court, Dhubri on 06.05.2024. The learned Principal Judge, Family Court, Dhubri shall thereupon proceed with the disposal of the

said proceedings in accordance with law.

8. With the above, the transfer petition stands allowed.

9. Interim order passed earlier stands vacated.

JUDGE

Comparing Assistant