

GAHC010032042024



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

Case No. : Tr.P.(C)./19/2024

PALASHI BORAH @ PALASHI BORA @ POLASHI BORA
W/O SOURAV SAGAR BORAH
D/O BIJEN BORA, RESIDENT OF RONGAGARA HUZ, PS AND DIST
NAGAON, ASSAM

VERSUS

SOURAV SAGAR BORAH
S/O LATE BIMAN CHANDRA BORAH
RESIDENT OF VILLAGE MAZGAON, MOUZA BHAIRABPAD, PS TEZPUR,
DIST SONITPUR ASSAM

Advocate for the petitioner(s): Mr. S Das

Advocate for the respondent(s): Mr. S Sahu

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

10.05.2024

This is an application under Section 24 of the Code of Civil Procedure, 1908 (for short, the Code) for transfer of Title Suit (Matrimonial) No.214/2023 pending in the Court of the learned District Judge, Sonitpur at Tezpur to the Court of the learned District Judge, Nagaon.

2. The case of the petitioner is that the petitioner and the respondent are both husband and wife and out of the wedlock, one girl child was born, who is presently about 8 years old. Thereafter, on account of certain matrimonial disputes, the petitioner left her matrimonial home and presently residing in her paternal home at Nagaon along with her minor child.

3. This Court also finds it relevant to take note of that there are other proceedings presently pending between the parties within the jurisdiction of the learned Chief Judicial Magistrate, Nagaon.

4. Under such circumstance, this Court transfers the Title Suit (Matrimonial) No.214/2023 from the Court of the learned District Judge, Sonitpur at Tezpur to the Court of the learned District Judge, Nagaon.

5. The learned District Judge, Sonitpur is hereby directed to forthwith upon receipt of a copy of this instant order to transfer the case records of Title Suit (Matrimonial) No.214/2023 to the Court of the learned District Judge, Nagaon.

6. The Registry is further directed to intimate the Court of the learned District Judge, Sonitpur at Tezpur as well as the learned District Judge, Nagaon about the instant order.

7. Taking into account that both the parties are duly represented and 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 District Judge, Nagaon. Accordingly, this Court fixes the matter for appearance of both the parties before the learned District Judge, Nagaon on 07.07.2024. The learned District Judge, Nagaon 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