GAHC010080492024

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

Case No. : Tr.P.(C)./35/2024

MITALI BHARALI
W/O SRI DEEPJYOTI HANDIQUE,
D/O SRI JOGESWAR BHARALI, PERMANENT RESIDENT OF JOKAIBON KUMAR GAON, PO BONGAON, PS BARBARUAH, DIST DIBRUGARH, ASSAM, 786003 AND PRESENTLY RESIDING AT OASIS TOWER, ASHOK PATH, FLAT NO. 4, SURVEY, PO ASSAM SACHIVALAYA, PS DISPUR, DIST KAMRUP M ASAM 781006

VERSUS

DEEPJYOTI HANDIQUE
S/O LATE PRAMOD HANDIQUE,
RESIDENT OF ONGC COLONY, QUARTER NO. B, BLOCK 312, PO AND PS SIVASAGAR, ASSAM, 785640

For the petitioner (s) : Mr. N. Baruah, Advocate

For the respondent (s) : None appears

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

22.04.2024

This is an application under Section 24 of the Code of Civil Procedure, 1908 (for short, 'the Code') for transfer of the T.S.(D)

No.82/2023 from the Court of the learned Additional District Judge (FTC), Dibrugarh to the Principal Judge, Family Court, Kamrup (M) at Guwahati.

2. From the materials on record, it reveals that the petitioner had filed the said application seeking divorce which has been registered and numbered as T.S.(D) No.82/2023. It is on account of the transfer to her post at Guwahati, the petitioner now has sought for transfer of the said divorce proceedings from the Court of the Additional District Judge (FTC), Dibrugarh to the Principal Judge, Family Court, Kamrup (M) at Guwahati.

3. This Court has also enquired as regards the stage of the proceedings before the Court of the learned Additional District Judge (FTC), Dibrugarh and it has been informed that it is at the stage of evidence. Taking into account that the petitioner is a permanent resident of Dibrugarh as it appears from the perusal of the application and the said application seeking divorce was filed at Dibrugarh, this Court is not inclined to exercise the jurisdiction under Section 24 of the Code for transfer of the said proceedings to the Court of the Principal Judge, Family Court, Kamrup (M) at Guwahati.

4. Consequently, the instant petition stands dismissed.

JUDGE

Comparing Assistant