

GAHC010109182016



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

**Case No. : Tr.P.(C)./10/2016**

SMTI JAYANTI DAS  
D/O SRI BHADRESWAR DAS, W/O SRI CHATRADHAR ROY, R/O  
MALEGARH, ABHAYAPURI, P.O. JOGIGHOPA, DIST- BONGAIGAON, ASSAM

VERSUS

CHATRADHAR ROY  
S/O SRI DINESH CHANDRA ROY, R/O DAKSHIN BHERBARI, MOUZA-  
DAMKA CHALA BAUSHI, P.O. SORBHOG, DIST- BARPETA, ASSAM

Advocate for the petitioner(s): Ms. A Borah

Advocate for the respondent(s): X X

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

**03.05.2024**

Heard Ms. A Borah, learned counsel appearing on behalf of the petitioner.

2. This is an application under Section 24 of the Code of Civil Procedure, 1908 (for short, the Code) for transfer of Title Suit (M) No.37/2014 pending before the learned Principal Judge, Family Court, Barpeta to a competent Court at Bongaigaon on the ground that the petitioner is not in a position to travel to Barpeta for defending her interest in the aforementioned case.

3. This Court has duly perused the grounds on which the instant transfer application has been filed and is of the opinion that the same does not merit a transfer.

4. Accordingly, this Court dismisses the instant transfer petition.

5. The interim order dated 21.03.2016 stands vacated and the Court of the learned Principal Judge Family Court at Barpeta shall proceed with the adjudication of Title Suit (M) No.37/2014 in accordance with law.

6. It is further observed that as the respondent herein is not represented, the learned Trial Court shall issue due notice before proceeding with the title suit.

7. The Registry shall intimate the learned Trial Court about the instant order.

8. With the above, the instant transfer petition stands disposed of.

**JUDGE**

**Comparing Assistant**