

GAHC010184302023



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

Case No. : Tr.P.(C)./75/2023

CHAYAIIKA DAS
W/O- SRI GAUTAM DAS,
D/O- SARBARESWAR PATOWARY,
RESIDENT OF VILLAGE- BELSOR,
P.O. AND PS- BELSOR, DIST- NALBARI, ASSAM.

VERSUS

GAUTAM DAS
S/O LATE GIRISH DAS,
ORIGINAL RESIDENT OF VILLAGE- BARADI
PS AND DISTRICT- BARPETA, ASSAM
AND PRESENTLY RESIDING AT VILLAGE- BELSOR (KHARHITHA),
P.O. AND P.S.- BELSOR, DIST.- NALBARI, ASSAM.

Advocate for the Petitioner : MR. S SAHU,

Advocate for the Respondent : MR. D GOGOI,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

11.09.2024

Heard Mr. S. Sahu, learned counsel for the petitioner and also heard Mr. A. Nayak, learned counsel for the sole respondent.

2. This application under Section 24 of the Code of Civil Procedure, 1908, is preferred

by the petitioner for transferring of Title Suit (M) No.106/2023, pending before the Court of learned Principal Judge, Family Court, Barpeta, to the Court of learned Principal Judge, Family Court at Nalbari.

3. Mr. Sahu, learned counsel for the petitioner submits that the respondent has instituted a Title Suit, being Title Suit (M) No.106/2023 under Section 13(1) of the Hindu Marriage Act, 1955, before the Court of learned Principal Judge, Family Court at Barpeta, seeking divorce from the present petitioner. But, the present petitioner is residing in her parental abode at Belsor, Nalbari and as such, she has some inconvenience in attending the Court at Barpeta and therefore, Mr. Sahu submits that this Title Suit (M) No.106/2023, may be transferred to the Court of learned Principal Judge, Family Court at Nalbari, which is nearer to the house of the petitioner.

4. Mr. Nayak, learned counsel for the respondent submits that the respondent has no objection in the event of transferring the Title Suit (M) No.106/2023 from the Court of learned Principal Judge, Family Court, Barpeta, to the Court of learned Principal Judge, Family Court, Nalbari.

5. Having considered the submission of learned Advocates of both the parties and also considering the facts and circumstances on the record and as agreed upon by both the parties, this petition stands allowed. Accordingly, Title Suit (M) No.106/2023 stands transferred from the Court of learned Principal Judge, Family Court, Barpeta, to the Court of learned Principal Judge, Family Court, Nalbari.

6. The petitioner shall obtain a certified copy of this order and place the same before the learned Principal Judge, Family Court at Barpeta and on receipt of which, the learned Principal Judge, Family Court, Barpeta, shall transmit the record to the Court of learned Principal Judge, Family Court, Nalbari.

Sd/- Robin Phukan
JUDGE

Comparing Assistant