

GAHC010287212023



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

Case No. : Tr.P.(C)./116/2023

KAJAL BASFORE
DAUGHTER OF LATE RAJESH RAM,
WIFE OF SANTOSH BASFORE,
RESIDENT OF LOCO COLONY, NEAR LOCO RUNNING ROOM,
POST OFFICE- LUMDING, POLICE STATION- LUMDING,
DISTRICT- HOJAI, ASSAM, PIN- 782447.

VERSUS

SANTOSH BASFORE
SON OF SRI RAJENDRA BASFORE,
RESIDENT OF RAM KRISHNA ROAD,
WARD NO. 11, POST OFFICE- ITACHALI,
POLICE STATION- NAGAON SADAR,
DISTRICT- NAGAON, ASSAM, PIN- 782003.

Advocate for the Petitioner : ALHAJJ I UDDIN, H M I HOQUE, MR R HOQUE, MRS. R MOMTAZ

Advocate for the Respondent : MS. S NAZNEEN, MR E U AHMED

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

02.09.2024

Heard Mr. A.I. Uddin, learned counsel for the petitioner and also heard Ms. S.

Nazneen, learned counsel for the sole respondent.

This application under Section 24 of the Code of Civil Procedure, 1908, read with Article 227 of the Constitution of India, is preferred by the petitioner for transferring Matrimonial (D) Case No.80/2023, pending before the Court of learned District Judge, Nagaon, to the Court of learned District Judge, Hojai, Sankardev Nagar.

Mr. Uddin, learned counsel for the petitioner submits that the petitioner is the wife of the sole respondent and the respondent has instituted the Matrimonial (D) Case No.80/2023, before the learned District Judge, Nagaon, under Section 13(1)(a)(ib) of the Hindu Marriage Act, 1955 for a decree of dissolution of the marriage in favour of the respondent and the petitioner resides at Lumding and as such, she finds it difficult to attend the Court at Nagaon and therefore, this petition is filed for transferring the above-mentioned Matrimonial (D) Case No.80/2023 from the Court of learned District Judge, Nagaon to the Court of learned District Judge, Hojai, Sankardev Nagar.

Ms. Nazneen, learned counsel for the sole respondent submits that she has no objection in the event of transferring the aforementioned Matrimonial (D) Case No.80/2023 from the Court of learned District Judge, Nagaon, to the Court of learned District Judge, Hojai, Sankardev Nagar.

In view of the submission, and as agreed by learned Advocates of both sides, this Court is inclined to allow this petition.

It is provided that Matrimonial (D) Case No.80/2023 shall be transferred from the Court of learned District Judge, Nagaon to the Court of learned District Judge, Hojai, Sankardev Nagar.

The parties are directed to appear before the Court of learned District Judge, Hojai, Sankardev Nagar, on 17.09.2024.

On production of a certified copy of this order, the learned District Judge, Nagaon, shall transmit the record to the Court of learned District Judge, Hojai, Sankardev Nagar.

Interim order, if any, stands vacated.

Sd/- *Robin Phuikan*
JUDGE

Comparing Assistant