

GAHC010290072023



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

Case No. : Tr.P.(C)/118/2023

MS. JONALI TALUKDAR
D/O SRI PARESH DEKA, W/O SRI LAKHESWAR ALUKDAR, R/O VILL-
MAYONG BORDIA, P.O.-RAJA MAYONG, P.S.-MAYONG, DIST-MORIGAON,
ASSAM

VERSUS

LAKHESWAR TALUKDAR
S/O SONAM TALUKDAR, R/O VILL- 2 NO. SENABAR, P.O.-KHETRI, P.S.-
KHETRI, DIST-KAMRUP (M), ASSAM, PIN-782403

Advocate for the Petitioner : Mr. B.K. Sen, Advocate

Advocate for the Respondent : XXXXXXXXXXXXXXXXXXXX

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

26.04.2024

This is an application under Section 24 of the Code of Civil
Procedure, 1908 seeking transfer of F.C. (Civil) No. 1141/2023

pending before the Court of the learned Principal Judge, Family Court, Kamrup(Metro) at Guwahati to the Court of the learned District & Sessions Judge, Morigaon.

2. The record reveals that the respondent had entered appearance by a set of counsels by filing a Vakalatnama on 28.02.2024. However none appeared today when the matter is called up.

3. This Court had duly taken note of that the petitioner herein, is a resident of Mayong. The distance from Mayong to Guwahati is much nearer than from Mayong to Morigaon. The difficulties which have been stated in the said application does not inspire the confidence of this Court. Accordingly, this Court is not inclined to exercise its jurisdiction under Section 24 of the Code of Civil Procedure, 1908 in the instant proceedings for which the instant proceedings stands dismissed.

4. Taking into account that the parties are duly represented, the order dated 07.02.2024 passed by this Court is vacated. The parties are directed to appear before the learned Principal Judge, Family Court, Kamrup(Metro) at Guwahati on 05.06.2024.

5. It is made clear that on the said date, the petitioner shall file her written statement without fail.

J U D G E

Comparing Assistant