

**HIGH COURT OF TRIPURA
AGARTALA**

Tr.P.(C) No.15/2025

Smti. Tanusri Deb (Chakraborty), W/O. Shri Sayantan Chakraborty, D/O. Shri Swapan Kumar Deb, aged about-34 years, resident of Arundhutinagar, Agartala, P.O.-S.D.. Mission Colony, B.O.-Road No.16, P.S.-A.D. Nagar, District-West Tripura, PIN-799003.

..... Petitioner(s).

V E R S U S

Shri Sayantan Chakraborty, S/O. Shri Samar Chakraborty, resident of Post Office Road, Dharmanagar, P.O. & P.S.-Dharmanagar, District-North Tripura, PIN-799250.

..... Respondent(s).

For Petitioner(s) : Mr. Sankar Lodh, Advocate.

For Respondent(s) : Mr. Ankan Tilak Paul, Advocate,
Mr. Rakesh Debnath, Advocate.

HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH

Order

02/07/2025

Reference is made to the order dated 09.04.2025 which reads as under:

"Petitioner-wife has sought transfer of T.S.(Divorce) No.28 of 2025 instituted by the respondent-husband under Section 13(1)(i-a)(i-b) of the Hindu Marriage Act, 1955 from learned Family Court Dharmanagar, North Tripura to the learned Family Court, Agartala, West Tripura.

The marriage between the parties was solemnized on 06.05.2019 as per Hindu customs and rituals. Petitioner complains that she has been ousted from the matrimonial home on 08.03.2024 after perpetrating physical and mental torture. Petitioner is without any sources of income. Therefore, she will not be able to attend the proceedings of the matrimonial suit at Dharmanagar since Dharmanagar and Agartala are separated by considerable distance. It would be difficult for her to commute to Dharmanagar on every date to defend herself. Therefore, she has approached this Court for transfer of the matrimonial suit to the learned Family Court Agartala, West Tripura.

Issue notice on the respondent under ordinary process and speed post for which requisites be filed within one week.

Notice is made returnable within 5(five) weeks.

In the meantime, further proceedings in T.S.(Divorce) No.28 of 2025 pending before the learned Family Court Dharmanagar, North Tripura shall remain stayed."

Mr. Ankan Tilak Pal, learned counsel for the respondent-husband, submits on instructions of the respondent present today in Court that the parties

have settled their dispute and are living under the same roof at Agartala. It is submitted that T.S. (Divorce) No.28 of 2025 pending before the learned Family Court, Dharmanagar, North Tripura would be withdrawn on the next date.

Mr. Sankar Lodh, learned counsel for the petitioner, submits that the petitioner had telephonically informed yesterday that both the parties have settled the matter. However, though she was asked to appear today to make that statement, she has not come. He submits that since a statement has been made on behalf of the respondent-husband today that he would withdraw the divorce suit, this Court may dispose of this petition because there would not be any occasion to seek transfer of the divorce suit from learned Family Court, Dharmanagar to learned Family Court, Agartala, West Tripura. In case, the respondent fails to do so, he may be liable to be proceeded for breach of such statement.

Taking into note the categorical statement made on behalf of the respondent-husband who is present in Court, this Court is of the view that if the husband is going to withdraw the T.S. (Divorce) No.28 of 2025 pending before the learned Family Court, Dharmanagar, North Tripura on the next date, there would be no purpose in keeping the present transfer petition pending.

In that view of the matter, the instant petition is disposed of.

Pending application(s), if any, also stands disposed of.

(APARESH KUMAR SINGH), CJ

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