

**HIGH COURT OF TRIPURA
AGARTALA**

Tr. P.(C). No.19 of 2025

Smt. Tanusree Deb, Wife of Sri Bimalansu Sen, D/o Sri Tulsi Kumar Deb,
resident of Vill-Avanga, P.O. –Avanga, P.S. – Salema, Sub-Divison –
Kamalpur, District – Dhalai Tripura, PIN-799286.

..... Petitioner(s).

V E R S U S

Sri Bimalansu Sen, S/o Sri Binoy Bhusan Sen, resident of Vill- North
Nayapara, P.O. Nayapara, P.S. Dharmanagar, District – North Tripura, PIN-
799251.

..... Respondent(s).

For Petitioner(s) : Mr. Mrinmoy Debnath, Advocate.

For Respondent(s) : None.

HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH

Order

25/06/2025

Heard Mr. Mrinmoy Debnath, learned counsel for the petitioner.

Despite valid service of notice, respondent has chosen not to appear to contest the prayer. At the same time, he has sent a letter to this Court that he does not have any objection if T.S. (Divorce) No.27 of 2025 instituted before the learned Court of Family Judge, North Tripura, Dharmanagar is transferred to the learned Court of the Additional District Judge, Kamalpur, Dhalai Tripura.

2. In pursuance to the order dated 25.04.2025, reports have been submitted by the Judge, Family Court, Dharmanagar, North Tripura and Additional District Judge, Dhalai Judicial District, Kamalpur regarding compliance of the Section 14 of the Hindu Marriage Act, 1955. Both the learned Courts have categorically stated that respective suits were instituted after completion of one year of the marriage. The reports are accepted.

3. Petitioner is the wife who seeks transfer of T.S. (Divorce) No.27 of 2025 filed by the respondent from the learned Court of Family Judge, North

Tripura, Dharmanagar to the learned Court of Additional District Judge, Kamalpur, Dhalai Tripura. Marriage between the parties was solemnized on 02.03.2024. According to the petitioner, she returned to her parental house after three months and filed T.S. (Divorce) No.10 of 2025 under Section 13(i-a) of the Hindu Marriage Act, 1955 before the learned Court of Additional District Judge, Kamalpur, Dhalai Tripura. Thereafter, the respondent has filed a divorce case before the learned Court of Family Judge, North Tripura, Dharmanagar in which summons have been issued.

4. Learned counsel for the petitioner submits that she has genuine difficulty in contesting the suit before the learned Court of Family Judge, North Tripura, Dharmanagar. He has therefore prayed for transfer of the divorce suit instituted by the respondent to learned court of Addl. District Judge, Kamalpur, Dhalai where the divorce suit instituted by the petitioner is pending.

5. Learned counsel for the petitioner submits that since the husband does not have any objection to the transfer of T.S. (Divorce) No.27 of 2025, the same may be transferred from the learned Court of Family Judge, North Tripura, Dharmanagar to the learned Court of Additional District Judge, Kamalpur, Dhalai Tripura.

6. On consideration of the submission of the learned counsel for the petitioner and the materials placed from record and also in view of the no-objection of the respondent to such transfer of the suit, this Court is of the opinion that T.S. (Divorce) No.27 of 2025 be transferred from the learned Court of Family Judge, North Tripura, Dharmanagar to the learned Court of

Additional District Judge, Kamalpur, Dhalai Tripura. If the two suits are not tried by same Court it may possibly lead to conflict of decision.

7. Accordingly, the prayer is allowed. Let the records of T.S. (Divorce) No.27 of 2025 be transferred from the learned Court of Family Judge, North Tripura, Dharmanagar to the learned Court of Additional District Judge, Kamalpur, Dhalai Tripura.

8. Ordered Accordingly.

Interim stay order, if any, stands vacated.

Pending application(s), if any, shall stand disposed of.

(APARESH KUMAR SINGH), CJ