

Party Name : SMT. SAMPA DATTA Vs SOUGAT DAS

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

By means of this transfer petition, the petitioner (wife) has prayed for transfer of Title Suit (Divorce) No.331 of 2014 from the Court of the learned Family Judge, Agartala, West Tripura to the Court of learned District Judge, Belonia, South Tripura.

In Tripura there are only three Family Courts, one at Agartala, one at Udaipur and one at Kailashahar. There is no Family Court at Belonia as of date. I am extremely doubtful whether a matter which has been filed before the Family Court can be transferred to the Court of a District Judge in view of Section 8 of the Family Courts Act, 1984.

Faced with the situation, Mr. R. Dutta, learned counsel for the petitioner submitted that his alternative prayer is that the case be transferred to the file of learned Judge, Family Court, Udaipur, Gomati District. Sri D.Chakraborty, learned Sr. Counsel for the respondent-husband stated that he has no objection to the same.

Therefore, the petition is allowed to the limited extent that the Title Suit(Divorce) No.331 of 2014 shall stand transferred from the Court of learned Family Judge, West Tripura, Agartala to the Court of learned Family Judge, Udaipur, Gomati District.

The Registry shall send a communication to the learned Judge, Family Court, Agartala, West Tripura to send the records to the learned Judge, Family Court, Udaipur, Gomati District as early as possible so as to reach him well before 31st July, 2015.

The parties are directed to appear in the Court of the learned Judge, Family Court, Udaipur, Gomati District on 12th August, 2015.

Petition is disposed of.