HIGH COURT OF TRIPURA
AGARTALA

Tr.P.(C) No.14 of 2024

Smti Shatabdi Nath Sharma, W/o Shri Sibsankar Nath, D/o- Shri Sanjib Nath Sharma, aged about 28 years, resident of Ganki, Vill- Town Ganki, P.O.- Ganki, Khowai, Tripura, Pin-799201

.....Petitioner(s);

Versus

Shri Shib Sankar Nath, S/o Shri Prasanta Kumar Nath, aged about 32 years, resident of Dharmanagar-Kadamtala Road, Near SPT Bridge No.2, Sunarer Basha, Bhagyapur, P.S.- Dharmanagar, Dist. North Tripura; presently residing at C/O Shri Shankar Banik, Ujan Abhoynagar, opposite to Assam Oil, Near Gail India, P.S. East Agartala, P.O.- Abhoynagar, Agartala, West Tripura, Pin-799005

.....Respondent(s).

For Petitioner(s)	:	Mr. S. Lodh, Advocate, Mr. Subham Majumder, Advocate.
For Respondent(s)	:	None.

HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH

Order

11/12/2024

Heard Mr. S. Lodh, learned counsel for the petitioner.

Respondent, despite valid service of notice, has chosen not to enter appearance till date.

Petitioner-wife seeks transfer of T.S. (RCR) No.13/2024 from the learned Court of Family Judge, North Tripura, Dharmanagar to the learned Court of Family Judge, Agartala, West Tripura. Parties got married on 09.05.2024 as per Hindu rites and customs. Respondent is an Assistant Professor (Contractual) in Tripura Institute of Technology, Agartala whereas petitioner is a government school teacher and her present place of posting is at Teliamura. However, on pretext of demand of further dowry, relentless harassment started after solemnization of their marriage. The respondent had consistently subjected the petitioner to vulgar and demeaning language and her

family members were also insulted on baseless grounds. Therefore, she had to leave her matrimonial home in July, 2024. Thereafter, the suit for restitution of conjugal rights was filed. The petitioner may not be able to defend herself before the learned Family Court, North Tripura, Dharmanagar since it is separated from her present place of posting at Teliamura by considerable distance. As such, it may remain unrepresented. Petitioner is a government school teacher and presently posted at Teliamura. Therefore, the present petition may be allowed. He further submits that the case is at the stage of summons.

There is no opposition to the prayer.

Having regard to the facts and circumstances explained above and that the primacy of convenience in such matters lies in favour of the petitioner-wife who is a government school teacher posted at Teliamura and may have genuine difficulties in contesting the suit if not transferred from learned Family Court, North Tripura, Dharmanagar to learned Family Court, Agartala, West Tripura, prayer is allowed.

Let the records of T.S. (RCR) 13 of 2024 be transferred from the learned Court of Family Judge, North Tripura, Dharmanagar to the learned Court of Family Judge, Agartala, West Tripura forthwith. Petition stands disposed of.

(APARESH KUMAR SINGH), CJ

Pijush/

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