

18.11.2025
Ct. No. 30
SL No. **33**
MKP

CO 574 of 2023

Shrabani Das Nee Kar

Vs.

Prasenjit Das

Mr. Adrita Dey

.....for the Petitioner

Mr. Suman Ghosh

Mr. Arka Mondal

.....for the State- Respondent

- 1.** The revisional application has been preferred by the wife/petitioner herein praying for transfer of Matrimonial Suit being MAT Suit No.415/2022 filed under Section 9 of the Hindu Marriage Act, 1955 from the Court of Learned Additional District Judge and Session Judge, Kalna to the Learned Principal Judge, Family Court at Calcutta.
- 2.** In spite of notice, the husband/opposite party is not being represented at the time of hearing.
- 3.** Learned Counsel for the State has placed a report. It appears that parties have been duly served, as directed vide order dated 30.07.2025.

4. It appears from the materials on record that the parties were married in the year 2015. The petitioner/wife is now residing at Kolkata with her child who was born in 2016. The matrimonial suit is an application under Section 9 of the Hindu Marriage Act.
5. On hearing the parties and on perusal of the materials on record and relying upon the judgments of the Supreme Court in ***Umesh Kumar Sharma-Vs- State of Uttarakhand & Ors., in Transfer Petition (Crl.) Nos. 534-536 of 2019, (Para 17 to 22), and Tejalben vs Mihirbhai Bharatbhai Kothari on 11.01.2016, (2016) 3 SCC 69***, the revisional application stands allowed.
6. Matrimonial suit being 415 of 2022 is withdrawn from the file of the Learned Additional District And Sessions Judge, Kalna and transferred to the file of the Learned Principle Judge, Family Court at Calcutta.
7. The Family Court at Calcutta shall proceed with the suit, with due notice to both the parties and shall permit grant

leave to the opposite party/husband to appear virtually, if leave is prayed for.

8. CO 574 of 2023 is disposed of.

- 9.** Parties to act on the server copy of this order.
- 10.** Let a copy of this order be sent to the concerned Courts for immediate compliance.

[Shampa Dutt (Paul). J]