

01.12.2025
Item No.8
Court no. 30
Piya

CO 2340 of 2025

Smt. Mrs. Sangita Ghosh
-vs-
Sri Rajeev Ghosh

Mr. Apalak Basu
Ms. Sanghamitra Mridha
.... For the Petitioner

Mr. Tanmay Chowdhury
Ms. Sulagna Sarkar
.....For the Opposite Party

1. The revisional application has been preferred praying for transfer of Mat suit no. 1867 of 2022 along with Misc. Case No. 57 of 2024 from the Court of the learned Additional District Judge, 3rd Fast Track Court at Barasat, North 24 Parganas to the Court of learned District Judge, Alipore, 24 Parganas South.
2. On hearing the learned counsels for the parties and on perusal of the materials on record, it appears that the Mat. Suit has been filed in the Court at Barasat, North 24 Parganas by the husband/opposite party herein, who admittedly **resides in USA.**

3. The petitioner herein now resides at Garfa (Kasba), Kolkata along with her child aged 5 years, with her parents.
4. Considering the said difficulty of the petitioner to travel to the Court of the learned Additional District Judge, 3rd Fast Track Court at Barasat, North 24 Parganas on regular basis, when she has a child to look after, this Court relying upon the judgments of the Hon'ble 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vs Mihirbhai Bharatbhai Kothari on 11.01.2016, (2016) 3 SCC 69***, directs that matrimonial suit being 1867 of 2022 be withdrawn from the Court of the learned Additional District Judge, 3rd Fast Track Court at Barasat, North 24 Parganas and be transferred to the Court of learned District Judge, Alipore, 24 Parganas South.
5. Learned District Judge, Alipore, 24 Parganas South shall proceed with the suit in accordance with law with due notice upon both the parties.
6. Keeping in mind the case of the husband/opposite party herein, the

learned District Judge shall be at liberty to permit the husband/opposite party to **appear virtually**, if the opposite party makes such prayer.

- 7. CO 2340 of 2025 is disposed of.**
- 8.** Parties to act on the server copy of this order.
- 9.** Let a copy of this order be sent to the concerned Courts for immediate compliance.

(Shampa Dutt (Paul), J.)