

19.11.2025
Ct. No. 30
SL No. **56**
MKP

CO 2930 of 2024

Sima Saha

Vs.

Deb Kumar Saha

Ms. Mousomee Shome

.....for the Petitioner

- 1.** The writ application has been preferred praying for transfer of Matrimonial Suit No.194 of 2024 and all connected applications therein now pending before the Learned District Judge, Nadia at Krishnagar to any competent court in South 24 Parganas.
- 2.** In spite of due service the husband/opposite party has not appeared.
- 3.** On hearing the Learned Counsel for the petitioner, it appears that the husband/opposite party is a retired Government employee of BSNL and the parties married in the year 1990. It is submitted that the opposite party has now initiated the matrimonial suit for divorce before the Learned District Judge, Nadia at Krishnagar. The parties have two children

resides with petitioner/wife herein, at Rashbehari Avenue, Kolkata. Considering the age of the petitioner and the fact that the two children are residing with her. This Court relied on the judgment 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,*** allows the prayer for transfer.

4. Let the records of matrimonial suit no.194 of 2024 pending before the Learned District Judge, Nadia at Krishnagar be withdrawn and be transferred to the Court of the Learned District Judge, Alipore, South 24-Parganas.
5. The Transferee Court shall proceed with the hearing of the matrimonial suit on issuing notice upon the both the parties and proceed to dispose of the same in accordance with law expeditiously.
6. Keeping in mind the case of the husband/opposite 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. The Civil Revision is **disposed of**.

8. Applications, if any, connected thereto stand disposed of consequently.
9. Interim order, if any, stands vacated.
10. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]