

18.11.2025
Item No.55
BR

CO 2856 of 2023
With
IA No. CAN 1 of 2025
Sudipta Banerjee
-vs-
Satyajit Saha

Mr. Arijit Ghosh
.... For the petitioner

1. The revisional application has been preferred praying for transfer of Mat. Suit being Mat suit no. 90 of 2023 from the Court of the learned Family Court at Calcutta to the Court of learned District Judge, Mednipur, District- Paschim Medinipur.
2. In spite of service the husband/opposite party has failed to appear and contest the revisional application.
3. On hearing the learned counsel for the petitioner, on perusal of the materials on record, it appears that the Mat. Suit has been filed in the Family Court at Calcutta by the husband/opposite party herein.
4. The petitioner herein resides at District-Paschim Medinipur along with her child born in 2011, being allegedly abused, mentally and physically. The petitioner left the

opposite party's house and is now residing at Paschim Medinipur where her son is a school going student.

5. Considering the said difficulty of the petitioner to travel to the family Court 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Mihirbhai Bharatbhai Kothari on 11.01.2016, (2016) 3 SCC 69,*** directs that the matrimonial suit being 90 of 2023 be withdrawn from the Family Court at Calcutta and transferred to the Court of learned District Judge, Paschim Medinipur.
6. Learned District Judge, Paschim Medinipur shall proceed with the suit in accordance with law with due notice upon both the parties.
7. 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.
8. **CO 2856 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.)