

10.06.2025
Ct. 1
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ab

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

C.O. 54 of 2025

**Smt. Dipannita Das
-Vs-
Sri Sourav Basu**

This is the second consecutive day when no one appears in support of the application. It also appears that the matter was taken up on 7th April, 2025 when the same was adjourned because none of the parties were present.

On a perusal of the revisional application, it appears that the opposite party being the husband of the petitioner has made an application under Section 6 of the Hindu Minority and Guardianship Act, 1956 read with Section 25 of the Guardian and Wards Act, 1890, which is registered as Act VIII case No. 29 of 2024. The said application is pending before the learned District Judge at Darjeeling. On a further perusal of the revisional application, it appears that the petitioner (wife) and the opposite party (husband) are also from the district Darjeeling and as such, the Court of the learned District Judge at Darjeeling is the competent Court to hear out the said application.

The petitioner says that since she is staying at Siliguri at her paternal abode with the minor child, it is difficult for her to attend the Court of learned District Judge at Darjeeling to defend and/or prosecute the matter. The petitioner, therefor, has asked for transfer of Act VIII case No. 29 of 2024 to the Court of learned Additional District Judge at Siliguri, Dist-Darjeeling.

Since no one appears on behalf of the petitioner on the second consecutive day and that the matter had already been adjourned on 7th April, 2025, I have no other option but to dismiss the instant revisional application for default. However, dismissal of this revisional application will not stand in the way of the learned District Judge at Darjeeling in transferring the Act VIII case No. 29 of 2024 to the Court of learned Additional District Judge, Siliguri, if the learned District Judge at Darjeeling so deems fit and proper.

Let a copy of this order be communicated by the registry of the Circuit Bench at Jalpaiguri to the Court of learned District Judge at Darjeeling.

The revisional application being C.O. 54 of 2025 is accordingly dismissed for default.

All connected applications, if any, made in this application stand disposed of.

(**Arindam Mukherjee, J.**)

