

30.03.2026
Item No.27
Court No. 30
Piya

CO 491 of 2026

Nibedita Mondal
-vs-
Dibyajyoti Das

Mr. Somnath Gangopadhyay
... for the Petitioner

- 1.** Affidavit of service filed be kept with the record.
- 2.** The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 14 of 2023 from the Court of learned Additional District Judge, 2nd Court, Serampore, Hooghly to the Court of learned District Judge, Howrah.
- 3.** In spite of service, the husband/opposite party is not represented.
- 4.** On hearing the learned counsel for the petitioner and on perusal of the materials on record, it appears that the Matrimonial Suit has been filed in the Serampore Court, Hooghly by the husband/opposite party herein.

5. The petitioner/wife herein resides at Shibpur, Howrah.
6. Considering the said difficulty of the petitioner/wife to travel to Serampore Court, on regular basis, this Court relying upon the judgments of the Hon'ble Supreme Court in ***N.C.V. Aishwarya vs A.S. Saravana Karthik Sha, in Civil Appeal No(s). 4894 of 2022 (arising out of SLP (C) No(s). 16465 of 2021), decided on July 18, 2022, (Para 11, 12)*** directs that Matrimonial Suit No. 14 of 2023 be withdrawn from the Court of learned Additional District Judge, 2nd Court, Serampore, Hooghly and be transferred to the Court of learned District Judge, Howrah.
7. Learned District Judge, Howrah shall proceed with the suit in accordance with law with due notice upon both the parties.
8. Keeping in mind the case of the opposite party herein, the learned District Judge shall be at liberty to permit the opposite party to **appear virtually**, if the opposite party makes such prayer.
9. **CO 491 of 2026 is disposed of.**
10. Parties to act on the server copy of this order.

11. Let a copy of this order be sent to the concerned Courts for immediate compliance.

(Shampa Dutt (Paul), J.)