

20.01.2026
Item No.26
Court No. 30
Piya

CO 868 of 2025

Smt. Libi Poddar (Saha)

-vs-

Sri Atanu Poddar

Ms. Manali Biswas

... for the Petitioner

- 1.** The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 18 of 2025 from the Court of learned Additional District Judge, 5th Court, Barasat, North 24 Parganas to the Court of learned District Judge, Berhampore, Murshidabad.
- 2.** The opposite party /husband being represented initially is now not being represented.
- 3.** Accordingly, on hearing the learned counsel for the petitioner and on perusal of the materials on record, it appears that the Mat. Suit has been filed in the Barasat Court at North 24 Parganas by the husband/opposite party herein.

4. The petitioner herein resides at Berhampore, Murshidabad along with her child aged 4 years.
5. Considering the said difficulty of the petitioner to travel to the Barasat Court, 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vs Mihirbhai Bharatbhai Kothari on 11.01.2016, (2016) 3 SCC 69***, directs that matrimonial suit being no.18 of 2025 be withdrawn from the Court of learned Additional District Judge, 5th Court, Barasat, North 24 Parganas and be transferred to the Court of learned District Judge, Berhampore, Murshidabad.
6. Learned District Judge, Berhampore, Murshidabad shall proceed with the suit in accordance with law with due notice upon both the parties, expeditiously.
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 868 of 2025 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.)