

09.02.2026
Ct. No. 30
S.L. No. 24
SM

CO 756 of 2024
Nikesh Bharat Hariyani
Versus
Ratna Hariyani alias Singh

Mr. Souma Subhra Ray
Ms. Neelom Kumari
.....for the petitioner

1. Affidavit-of-service filed be kept with the record.
2. The revisional application has been preferred by the husband/petitioner praying for transfer of Misc. Case No. 2638 of 2021 from the Court of learned Additional District Judge, 3rd FTC Barrackpore to the Court of learned District Judge, Alipore, South 24 Parganas.
3. The wife/opposite party is not represented in spite of due service.
4. 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 Barrackpore Court by the husband/petitioner herein.
5. The petitioner/husband herein presently resides at Kolkata and it appears that the wife/opposite party also resides at the same address.
6. Accordingly, as both parties reside at Kolkata and on 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) and***

on consent of both parties, directs that Misc. Case No. 2638/2021 be withdrawn from the Court of learned Additional District Judge, 3rd FTC barrackpore and be transferred to the Court of learned District Judge, Alipore, South 24 Parganas.

7. Learned District Judge, Alipore shall proceed with the suit in accordance with law with due notice upon both the parties.

8. CO 756 of 2024 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]