

02.01.2026
Item No.7
Court No. 30
Piya

CO 2095 of 2023

Smt. Anindita Barui nee Nandy
-vs-
Sri Indrajit Barui

Mr. J. K. Mandal
Mr. S. Rakshit
... for the Petitioner/wife

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 71 of 2023 from the Court of learned 5th Fast Track, at Barasat, North 24 Parganas to the Court of learned Additional District Judge, Chandannagar, Hooghly.
2. In spite of due service, the opposite party/husband has chosen not to appear.
3. 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 at Barasat Court, North 24 Parganas by the husband/opposite party herein.
4. The petitioner herein resides at Chandannagar, Hooghly along with her child aged about 4-5 years.

5. Considering the said difficulty of the petitioner to travel to Barasat Court, North 24 Parganas on regular basis, when she has a child aged 4-5 years 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vs Mihirbhai Bharatbhai Kothari on 11.01.2016, (2016) 3 SCC 69,*** directs that matrimonial suit being 71 of 2023 be withdrawn from the Court of learned 5th Fast Track, at Barasat, North 24 Parganas and be transferred to the Court of learned Additional District Judge, Chandannagar, Hooghly.
6. Learned Additional District Judge, Chandannagar, Hooghly 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 2095 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.)