

22.06.2026
Ct. No. 30
S.L. No.27
SM

CO 4032 of 2023
Mom Saha (Pandit)
Versus
Sanjit Pandit

Mr. Prasenjit Burman
Ms. Payal Koley
.....for the petitioner

- 1.** Affidavit-of-service filed be kept with the record.
- 2.** It appears that in spite of attempting to serve at the address as given in the plaint of the matrimonial suit, the same could not be served.
- 3.** Considering the said facts and also the fact that the petitioner has also served upon the learned counsels who represented the opposite party before the Trial Court, there is no representation on behalf of the opposite party herein.
- 4.** The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 476 of 2022 from the Court of learned Additional District Judge, Fast Track Court at Siliguri, District-Darjeeling to the Court of learned District Judge, Howrah.
- 5.** On hearing the learned counsels for the parties and on perusal of the materials on record, it appears that the Matrimonial Suit has been filed in the Siliguri, District-Darjeeling by the husband/opposite party herein.

6. The petitioner/wife herein resides at 22/2, Swarnamoyee Road, P.O.- Botanical Garden, P.S.- A.J.C. Bose Botanical Garden, District-Howrah, PIN-711 103 along with her two children of which one is minor.

7. Considering the said difficulty of the petitioner/wife to travel to Siliguri 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(C) No(s). 16465 of 2021), decided on July 18, 2022, (Para 11, 12),*** directs that Matrimonial Suit No. 476 of 2022 be withdrawn from the Court of learned Additional District Judge, Fast Track Court at Siliguri, District-Darjeeling and be transferred to the Court of learned District Judge, Howrah.

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

9. 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 such prayer is made.

10. CO 4032 of 2023 is disposed of.

11. Parties to act on the server copy of this order.

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

[Shampa Dutt (Paul). J]