

**16.02.2026
Item No.37
Court No. 30
BR**

CO 4375 of 2025

**Mrs. Piyali Singha Roy
-vs-
Sri Brati Sankar Singha Roy**

Mr. Apalak Basu
Ms. S,Mridha
Ms. Sarnali Gupta
... for the petitioner

Mr. Uday Sankar Chattopadhyay,
Ms. Trisha Rakshit,
Ms. A.Datta,
Ms. B. Chakraborty,
Ms. Sadia Paveen

... for the O.P. No.2

1. The revisional application has been preferred praying for transfer of case being Matrimonial Suit 1348 of 2020 pending in the Court of the learned Additional District & Sessions Judge, 2nd Court, Barrackpore, North 24 Parganas to the Court of the learned District Judge, Alipore, South 24 Parganas.
2. It is the case of the petitioner/wife that she is residing at Kasba, Kolkata with her child aged 17 years.

3. On the other hand, the husband/opposite party is a resident of Narayanpur, North 24 Parganas and has filed the Matrimonial suit at Barrackpore Court, North 24 Parganas.

4. The petitioner/wife case is that she has now shifted her residence to Kasba, Kolkata, even though she teaches at Barrackpore and her child studies at Dumdum.

5. It further submitted that it is very difficult for the wife travel to Barrackpore to defend the Matrimonial Suit, though there are other cases pending at Barrackpore.

6. Documents filed, show that the petitioner has now shifted to Kolkata and is a single mother of her child, who is to appear for her board examinations soon.

7. The following judgments have been relied upon by the husband /opposite party in support of his contention:-

i) Gayatri Mohapatra -vs- Ashit Kumar Panda, reported in (2003) 11 SCC 731;

ii) Anindita Das -vs- Srijit Das, reported in (2006) 9SCC 197.

8. Considering all these facts and relying upon the judgment 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out of SLP (C) No(s). 16465 of 2021), decided on July 18, 2022, (Para 11, 12),** Matrimonial Suit No. 1348 of 2020 be withdrawn from the Court of learned Additional District & Sessions Judge, 2nd Court, Barrackpore, North 24 Parganas and be transferred to the Court of learned District Judge, Alipore, South 24 Parganas.

9. Learned District Judge, Alipore, South 24 Parganas shall proceed with the suit in accordance with law with due notice upon both the parties.

10. Keeping in mind the case of the parties herein, the learned District Judge shall be

at liberty to permit the parties to **appear virtually**, if the parties make such prayer.

11. **CO 4375 of 2025 is disposed of.**

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

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

(Shampa Dutt (Paul), J.)