

13.05.2026

Ct. no.7.

Sl. No. 22

sb

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction
Appellate Side

C.O. 39 of 2026

Smt. Bobby Das
Vs.
Sri Bhim Rabidas

Mr. Sumit Kumar,
Ms. Ditisha Choudhury
... for the petitioner.

1. This is an application under Section 24 of the Code of Civil Procedure, 1908 (in short, CPC) for transfer of the Matrimonial Suit No. 108 of 2025 now pending before the Court of the learned Additional District Judge at Tufanganj, District – Cooch Behar to the Court of Learned District Judge at Jalpaiguri.
2. The applicant is the wife. The opposite party is the husband. Records reveal that the application was served on 16th April, 2026 and again on 27th April, 2026 as directed by this Court. The affidavit of service in connection with the last service filed in Court today is taken on record.
3. The opposite party/husband remains unrepresented.

4. In the aforesaid facts and circumstances, there is no point in adjourning the matter any further.

5. The petitioner has stated that the petitioner was driven out of her matrimonial abode in April, 2023 when she was pregnant. It is also the case of the petitioner that the petitioner has given birth to a daughter and is staying with her widowed mother at Maynaguri. It is also the case of the petitioner that the petitioner has instituted a criminal proceedings against the opposite party before the court at Jalpaiguri.

6. After hearing the petitioner and considering the materials on record, I find that balance of convenience and inconvenience lies in favour of the petitioner for seeking transfer of the suit. The petitioner, if has to attend the proceedings at Tufangunj, will have to carry her daughter who is an infant with ailing health or arrange for someone to look after the daughter. The infant daughter is also suffering from various ailments.

7. In the aforesaid facts and circumstances, the Matrimonial Suit No.108 of 2025 now pending before the learned

Additional District Judge at Tufanganj, Cooch Behar is directed to be transferred to the court of the learned District Judge at Jalpaiguri.

8. The registry of the court at Tufanganj on being communicated with this order shall transmit the records expeditiously to the court of the learned District Judge at Jalpaiguri.

9. Nothing further remains to be adjudicated in this revisional application. The same is accordingly disposed of.

10. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking

(Arindam Mukherjee, J.)