

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:
The Hon'ble Justice Debangsu Basak

C.O. 226 of 2025

**Sneha Khatun & Ors.
Vs.
Md. Nur Alam Ansari**

For the Petitioners : Ms. Rima Sarkar
Ms. Siddhi Sethia

For the Opposite Party : None

Heard & Judgment on : **January 6, 2026**

Debangsu Basak, J.:-

1. Affidavit of service filed in Court be taken on record.
2. None appears for the opposite party despite service.
3. Petitioners seek transfer of Misc. Guardianship Case No. 19 of 2025 pending before the learned District Judge, Cooch Behar to Uttar Dinajpur where the petitioners reside.
4. Learned advocate appearing for the petitioners submits that, the petitioner no. 1 is the mother of a two-year old child. Mother and the child are residing at the address given in the cause title of the petition. She submits that, it is difficult for the petitioners to attend the Court of the learned

district Judge at Cooch Behar as the mother being petitioner no. 1 is the caregiver of the two-year old child. She also points out that the distance between the place of residence of the petitioners and the Court at which the proceedings are pending is about 234 kms. It would take more than five hours to reach the Court at which the proceedings are pending from the residence of the petitioners.

5. Considering the fact that the proceedings are for custody of a child of two-years of age and considering the fact that such child is with the mother who is residing at Uttar Dinajpur and considering the distance of 234 kms. between the place of residence of the mother and the child and the Court at which the proceedings are pending and considering the time taken for travelling such distance, it would be appropriate to direct transfer of Misc. Guardianship Case No. 19 of 2015 from the Court of the learned District Judge, Cooch Behar to the Court of the learned District Judge, Uttar Dinajpur.
6. Learned District Judge, Cooch Behar is requested to transmit all records relating to Misc. Guardianship Case No. 19 of 2025 to the learned District Judge, Uttar Dinajpur forthwith. On receipt of such case records, learned District Judge, Uttar Dinajpur is at liberty to proceed with Misc. Guardianship Case No. 19 of 2025 from the stage at which it obtained

before the transferee Court or from such stage as the learned District Judge, Uttar Dinajpur may deem appropriate.

7. It is expected that the transmission of the records from the Court of the learned District Judge, Cooch Behar to the Court of the learned District Judge, Uttar Dinajpur takes place within four weeks from the date of communication of this order to the learned District Judge, Cooch Behar.
8. C.O. 226 of 2025 is disposed of without any order as to costs.

(Debangsu Basak, J.)

S.D.