

GAHC010050002026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Tr.P.(C)./26/2026

JAHIRA SULTANA BARBHUIYA AND 3 ORS.
D/O. LATE ABDUL KUDDUSBARBHUIYAR/O. VILLAGE SORAIL,P.O.
KRISHNAPUR, SILCHAR,P.S. BORKHOLA,DISTRICT CACHAR, ASSAM.
-788110

2: FATIMA BEGUM BARBHUIYA

W/O. LATE ABDUL KUDDUSBARBHUIYA
R/O. VILLAGE SORAIL
P.O. KRISHNAPUR
SILCHAR
P.S. BORKHOLA
DISTRICT CACHAR
ASSAM.-78811

3: ABDUL GOFUR LASKAR

S/O. LATE SAIDUR RAHMANLASKAR
R/O. BURIBAIL
P.O. TATHAPIPARA
P.S. BORKHOLA
DISTRICT CACHAR
ASSAM.-788110

4: RINA BEGUM

W/O. LATE FAYAJUR RAHMAN
R/O. VILLAGE BURIBAIL
P.S. BORKHOLA
DISTRICT CACHAR
ASSAM
PIN78811

VERSUS

ABDUL BASIT LASKAR,
S/O. LATE ABDUL MUSABBIR LASKAR, R/O. VILLAGE SYEDBOND PART
-I.P.S. ALGAPUR, DISTRICT HAILAKANDI, ASSAM.-788025

Advocate for the Petitioner : MR. JUNM LASKAR, MS. J GHOSH

Advocate for the Respondent : ,

**BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN
ORDER**

30.03.2026

Heard Mr. R. Majumdar, learned counsel for the petitioners.

This petition under Section 24 of the Code of Civil Procedure, 1908 is preferred by the petitioners for transferring the T.S.(Matrimonial) Case No.44/2025, pending before the Court of learned District Judge, Hailakandi to the Court of learned Principal Judge, Family Court, Cachar, Silchar.

Mr. Majumdar, learned counsel for the petitioners submits that the respondent herein has instituted T.S.(Matrimonial) No.44/2025 before the Court of learned District Judge, Hailakandi for restitution of conjugal rights. However, Mr. Majumdar submits that the petitioner has instituted one domestic violence case, being C.R.(DV) Case No.136/2025, before the Court of learned Chief Judicial Magistrate, Cachar, Silchar and thereafter, the respondent herein has instituted the aforementioned proceeding before the Court of learned District Judge, Hailakandi. Mr. Majumdar also submits that the petitioners are residing at Silchar and the petitioner No.1 also has a suckling baby and she has no financial support to undertake the journey to Hailakandi from Silchar to contest the aforementioned petition and as such, Mr. Majumdar submits that at this stage, notice may be issued and the proceeding of T.S.(Matrimonial) No.44/2025, pending before the Court

of learned District Judge, Hailakandi, may be stayed.

Having heard the submission of learned counsel for the petitioners, this Court has carefully gone through the petition and the documents placed on record.

Let notice be issued to the respondent, returnable within 4(four) weeks.

Step be taken by speed post and also by usual process within a week from today.

List the matter after 4(four) weeks.

Pending further consideration, further proceeding of T.S.(Matimonial) No.44/2025, pending before the learned Court of learned District Judge, Hailakandi, stands stayed, till returnable date.

Sd/- Robin Phuikan
JUDGE

Comparing Assistant