

GAHC010065992025



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

Case No. : Tr.P.(C)./16/2025

RUNJUN SAHARIA
W/O- PRANJIT CHOUDHURY, D/O- LATE JAGABANDHU SAHARIA, R/O-
LANKESWAR, TARUN NAGAR, WEST JALUKBARI, GUWAHATI, P.O-
GAUHATI UNIVERSITY, P.S- JALUKBARI, DIST- KAMRUP (M), ASSAM

VERSUS

PRANJIT CHOUDHURY
S/O- LATE BABUL CHOUDHURY, R/O- VILL- KUMARPARA, P.O-
BARSIMALUGURI, P.S- BARAMA, DIST- BAKSA, BTAD, ASSAM

Advocate for the Petitioner : MR. L MOHAN, MR. S K SAIKIA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 28.03.2025

Heard Mr. L. Mohan, learned counsel for the petitioner.

This petition, under Section 24 of the Code of Civil Procedure, 1908, is preferred by the petitioner for transferring of T.S. (M) Case No. 01/2025, filed by the respondent under Section 13 (1) (i-a) of the Hindu Marriage Act, 1955,

which is pending before the Court of learned District Judge, Baksa, Mushalpur.

Mr. Mohan, learned counsel for the petitioner submits that the petitioner is the wife of the respondent, and the respondent had instituted the above mentioned proceeding at Baksa, Mushalpur.

Mr. Mohan, further submits that the petitioner got married with the respondent and thereafter, they live together as husband and wife at Dibrugarh, where the respondent was serving in the Health and Family Welfare Department, Dibrugarh. And thereafter marital discord surfaced between them and thereafter, the petitioner has been residing at her parental abode at Guwahati. Thereafter, the respondent has instituted the divorce proceeding at Baksa. Mr. Mohan also submits that the petitioner is suffering from some ailments and undergoing treatment and her financial condition is also poor and on account of the same it is practically impossible for her to contest the suit at Baksa. And therefore, Mr. Mohan, submits that the T.S.(M) Case No. 01/2025, pending before the learned Court of District Judge, Baksa, Mushalpur may be transferred to the Court of learned Principal Judge, Family Court. Kamrup (M) Guwahati.

The submission of Mr. Mohan, needs further consideration.

At this stage, notice be issued to the respondent, returnable in 4(four) weeks.

Steps be taken upon the respondent by way of registered post with A/D as well as by usual process within a week from today. And considering the submission of Mr. Mohan, learned counsel for the petitioner, and also considering the facts and circumstances on the record, further proceeding of T.S.(M) Case No. 01/2025, pending before the Court of learned District Judge,

Baksa, Mushalpur stand stayed till returnable date.

List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant