

GAHC010145742025



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

Case No. : Tr.P.(C)/40/2025

SMTI. SMRITI KAKATI
W/O SRI SAURAV PRATIM DAS, D/O SRI RANJIT KAKATI, R/O PATHSHALA
WARD NO. 2, MOUZA- NORTH BAJALI, P.O.-PATHSALA, P.S.- PATHSALA,
DIST- BAJALI, ASSAM

VERSUS

SAURAV PRATIM DAS
S/O LATE AJIT KUMAR DAS, R/O WARD NO. 3, MOUZA- UTTAR BAJALI,
P.O.- PATHSALA, P.S.- PATHSALA, DIST- BAJALI, ASSAM. (PERMANENT
ADDRESS- METUAKUCHI GAJIA ROAD, WARD NO. 20, P.O.- BARPETA, P.S.-
BARPETA, DIST- BARPETA, ASSAM

Advocate for the Petitioner : MR A V SINGH, MR P TALUKDAR, MR W R MEDHI

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 14.07.2025

Heard Mr. W.R. Medhi, learned counsel for the petitioner.

2. This petition, under Section 24 of the Code of Civil Procedure, 1908, is preferred by the petitioner for transferring the T.S. (M) F.C. No. 158/2025, pending before the Court of learned Principal Judge, Family Court, Barpeta to

any competent Court, in the District of Bajali at Pathsala.

3. Mr. Medhi, learned counsel for the petitioner submits that the petitioner is the wife of the respondent herein, who had instituted the aforementioned proceeding before the learned Principal Judge, Family Court, Barpeta, though both of them hail from the same place at Pathsala under the Bajali district and that the petitioner is the mother of a baby of one and half months old and that one proceeding between them, under the Domestic Violence Act, is also pending before the Court of learned Chief Judicial Magistrate, Bajali and though the distance between Pathsala and Barpeta is not too much yet, with the one and half year old baby it would not be possible on the part of the petitioner to travel 80 K.M. on the date fixed to contest the aforementioned proceeding, and therefore, Mr. Medhi, submits that the T.S. (M) F.C. No. 158/2025, may be transferred from the learned Principal Judge, Family Court, Barpeta to any competent Court, in the District of Bajali at Pathsala.

4. The submission of Mr. Medhi, learned counsel for the petitioner needs further consideration.

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

6. Steps be taken upon respondent by Registered post with A/D as well as usual process within a period of one week from today.

7. Considering the submission of Mr. Medhi, learned counsel for the petitioner and also considering the facts and circumstances, so projected in this petition, further proceeding of T.S. (M) F.C. No. 158/2025, pending before the Court of learned Principal Judge, Family Court, Barpeta, stands stayed till returnable date.

8. List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant