

GAHC010145992025



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

Case No. : Tr.P.(C)./39/2025

SMTI MOMI NATH
WIFE OF SRI PRITOM NATH, D/O SRI BIMAL NATH, PRESENT ADDRESS-
VILL- DIPHU, PUBLIC BUS STAND, WARD NO. 1, P.O. AND P.S.- DIPHU,
DIST- KARBI ANGLONG, ASSAM, PIN-782460

VERSUS

PRITOM NATH
SON OF LATE PARTHA PRATIM NATH, PERMANENT RESIDENT OF HOUSE
NO. 207, WARD NO. 1M VILL- TULAGRAM PART I, SONAIMUKH (NEAR
BANK OF INDIA), P.O. AND P.S.- SONAI, DIST- CACHAR, ASSAM, PIN-788119

Advocate for the Petitioner : MR. S SARMA, B SAHA, MR B P SARMAH, MR D DAS, MR. C CHAKRAVARTY

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 14.07.2025

Heard Mr. C. Chakravarty, 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 F.C. (Civil) Case No. 506/2024, pending before the Court of learned Principal Judge, Family Court, Cachar, Silchar to the Court of learned District Judge, Karbi Anglong, Diphu.

3. Mr. Chakravarty, learned counsel for the petitioner submits that the petitioner is the wife of the respondent herein and presently the petitioner is residing at her parental abode at Karbi Anglong, Diphu and the respondent herein is residing at Silchar, wherein he has instituted one divorce proceeding, being F.C. (Civil) Case No. 506/2024, before the Court of learned Principal Judge, Family Court, Cachar, Silchar.

3.1. Mr. Chakravarty, learned counsel for the petitioner further submits that the distance between Diphu, where the petitioner is residing and the Family Court at Cachar, Silchar is about 250 K.M. and because of the distance, it is impossible for the petitioner to contest the aforementioned proceeding at Silchar. Therefore, it is contended to allow the petition.

4. The submission of Mr. Chakravarty, 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 by usual process, within a period of one week from today.

7. Considering the submission of Mr. Chakravarty, and the facts and circumstances on the record, further proceeding of F.C. (Civil) Case No. 506/2024, pending before the Court of learned Principal Judge, Family Court, Cachar, Silchar stand stayed till returnable date.

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

JUDGE

Comparing Assistant