

GAHC010155202025



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

Case No. : Tr.P.(C)./44/2025

RIJU MONI KALITA
D/O SRI DURGESWAR KALITA, R/O SIXMILE VIP ROAD, MANI MUGDHA
NAGAR, CHACHAL, P.O.- KHANAPARA, P.S.- DISPUR, DIST- KAMRUP (M),
PIN-781022, ASSAM

VERSUS

BIBHU RANJAN BARUAH
S/O LAKHI RAM BARUAH, PERMANENT ADDRESS - VILL- UPAHUPARA,
P.O.- MANGALDOI, P.S.- MANGALDOI, DIST- DARRANG, PIN-784125,
ASSAM. PRESENT ADDRESS- PARAMANANDA ENCLAVE, FLAT NO. C1,
JANAPATH, OPPOSITE FARM GATE, KHANAPARA, KAMRUP (M), ASSAM,
PIN-781022

Advocate for the Petitioner : MR. M BHAGABATI, M P DAS, MS. B TALUKDAR

Advocate for the Respondent : ,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

19.07.2025

Heard Mr. M. Bhagabati, learned counsel for the petitioner.

In this petition under Section 24 of the Code of Civil Procedure, 1908, the petitioner has prayed for transferring the Matrimonial Suit (R) No.274/2024, pending before the Court of learned Principal Judge, Family Court, Nalbari, to the Court of learned Principal

Judge, Family Court, Kamrup(M), Guwahati.

Mr. Bhagabati, learned counsel for the petitioner submits that the petitioner is the wife of the sole respondent and she is working in R.M.S. Office, Guwahati and she has a baby also and she resides with her mother in Guwahati at her parental abode and the respondent who hails from Mangaldoi, has instituted the proceeding for restitution of conjugal right before the Court of learned Principal Judge, Family Court at Nalbari. Mr. Bhagabati further submits that the marriage between the parties was solemnized in Guwahati and after the marriage they started their conjugal life in Guwahati at no point of time they have resided within the jurisdiction of Family Court at Nalbari and under such circumstances, Mr. Bhagabati contended to transfer the Matrimonial Suit (R) No.274/2024 from the Court of learned Principal Judge, Family Court, Nalbari to the Court of learned Principal Judge, Family Court, Kamrup(M), Guwahati.

The submission of Mr. Bhagabati needs further consideration.

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

Step be taken by registered post with A/D and also by usual process within a week from today.

Considering the submission of Mr. Bhagabati, learned counsel for the petitioner and also considering the fact that the marriage between the petitioner and the respondent was solemnized at Guwahati and after the marriage they resided at Guwahati, the further proceeding of the Matrimonial Suit (R) No.274/2024 pending before the Court of learned Principal Judge, Family Court, Nalbari, stands stayed till the returnable date.

List the matter after 4(four) weeks.

Sd/- Robin Phukan
JUDGE

Comparing Assistant