

GAHC010197212024



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

Case No. : Tr.P.(C)./88/2024

JHUMA CHAKRABORTY ROY
W/O- SRI SUMAN KUMAR ROY,
D/O- SRI GURUDAS CHAKRABORTY,
RESIDENT OF WARD NO. 6,
BIBEKANANDA COLONY,
NEAR RAMKRISHNA MISSION, DOBOKA TOWN,
P.O. AND P.S.- DOBOKA, DISTRICT- HOJAI,
ASSAM, PIN- 782440.

VERSUS

SUMAN KUMAR ROY
S/O- LATE SUNIT KUMAR ROY,
RESIDENT OF VILLAGE- BHOTPARA,
P.O.- ALISINGA, MOUZA AND P.S.- DHEKIAJULI,
DISTRICT- SONITPUR, ASSAM, PIN- 784112.

Advocate for the Petitioner : MR B ACHARYYA, MS. M ACHARYYA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

25.09.2024

Heard Mr. B. Acharyya, learned counsel for the petitioner.

2. In this petition, under Section 24 of the C.P.C., the petitioner has prayed for transferring the T.S. (M) Case No. 130/2023, pending before the learned Additional District Judge, FTC, Sonitpur, Tezpur to the court of learned District Judge, Hojai,

Sankardev Nagar.

3. Mr. Acharyya, learned counsel for the petitioner submits that the petitioner hails from Doboka, under the district of Hojai and she got married with the respondent, who is a resident of Sonitpur, Tezpur. After their marriage, marital discord surfaced between them and thereafter, the respondent had filed one proceeding, being T.S. (M) Case No. 130/2023, before the learned Additional District Judge, FTC, Sonitpur, Tezpur, seeking divorce from the petitioner. Mr. Acharyya further submits that the petitioner has no source of income and she alone cannot travel to Sonitpur, Tezpur to attend the proceeding, pending before the learned Additional District Judge, FTC, Sonitpur, Tezpur. Mr. Acharyya also submits that two other cases between the same parties are pending in the court of Hojai, Sankardev Nagar and as such, this proceeding, being T.S. (M) Case No. 130/2023, may be transferred from the court of learned Additional District Judge, FTC, Sonitpur, Tezpur to the court of learned District Judge, Hojai, Sankardev Nagar for ends of justice.

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

5. At this stage, let notice be issued to the respondent, within a week from today, returnable in 4 weeks, by registered post with A/D and also by usual process.

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

7. Till returnable date, further proceeding of T.S. (M) Case No. 130/2023, pending before the learned Additional District Judge, FTC, Sonitpur, Tezpur, stands **stayed.**

Comparing Assistant

JUDGE