

GAHC010253042024



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

Case No. : Tr.P.(C)/106/2024

PRAKRITI ACHARJEE
D/O- PARIMAL ACHARJEE, W/O- PANKAJ ACHARJEE, PRESENTLY
RESIDING AT C/O- PRADIP CHAKRABORTY, PANDU, NEAR RAILWAY
QUARTER NO. L 60, P.S. JALUKBARI, KAMRUP(M), ASSAM

VERSUS

PANKAJ ACHARJEE
S/O- LATE PRAHLAD ACHARJEE, R/O- RAILWAY QUARTER NO. 124/B,
MARIANI KACHA COLONY, WARD NO. 5, ROAD NO. 4, JORHAT, P.O. AND
P.S. MARIANI, DIST. JORHAT, ASSAM, PIN- 785634.

Advocate for the Petitioner : MR. I CHOUDHURY, MD E AHMED, R L CHUTIA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 06.12.2024

Heard Mr. I. Choudhury, learned counsel for the petitioner.

This is an application filed under Section 24 of the Code of Civil Procedure, 1908 praying for transfer of the suit for restitution of the conjugal rights

pending in the Court of Additional District and Sessions Judge, Jorhat to the Court of Principal judge, Family Court, Kamrup (M) at Guwahati.

The case of the petitioner is that she has filed maintenance case against the respondent which is pending before the Court of CJM, Kamrup(M), she also filed domestic violence case against the respondent/husband, which is also pending before the Chief Judicial Magistrate, Kamrup(M).

However, during the pendency of the above mentioned petition, the respondent/husband has filed petition for restitution of conjugal rights at Jorhat under Section 9 of the Hindu Marriage Act, 1955 being T.S.(M) Case No.149/2024.

Issue notice returnable by 4 weeks.

The petitioner shall take steps upon the respondent by registered post with A/D with one week from today.

In the meantime, the further proceedings of T.S.(M) Case No.149/2024 pending before the Court of Additional District and Sessions Judge, Jorhat shall remain suspended till the next returnable date.

List after 4 weeks.

JUDGE

Comparing Assistant