

GAHC010286952025



undefined

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

**Case No. : Tr.P.(C)./100/2025**

TINA SARMA  
WIFE OF BHASKARJYOTI SARMA, D/O SRI SUREN SARMA, R/O VILL  
BISHNUPUR, MOUZA- NAGAON, P.S. AND DIST.- BARPETA, ASSAM

VERSUS

BHASKARJYOTI SARMA  
S/O - SRI TAPAN KUMAR SARMA, R/O POPULAR BAKERY, COLLEGE  
ROAD, WARD NO. 3, BIDYAPUR, NALBARI (NEAR EYE HOSPITAL), P.O.-  
NALBARI, DIST- NALBARI, ASSAM.

**Advocate for the Petitioner** : S K PODDAR, R MANDAL, MR. R GHOSH, MS. N PODDAR, MR.  
C SHARMA

**Advocate for the Respondent** : ,

**BEFORE**  
**HONOURABLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**Date : --05.01.2026**

Heard Mr. S.K. Poddar, the learned counsel for the petitioner.

**2.** This is an application u/s 24 of CPC praying for transfer of M.S.(D) Case No. 238/2025 pending before the Court of learned Principal Judge, Family Court,

Nalbari to the Court of learned Principal Judge, Family Court, Barpeta.

**3.** Issue Notice to the respondent through Speed Post as well as through usual process.

**4.** Also call for the scanned copy of the TCR of M.S.(D) Case No. 238/2025 pending in the Court of Principal Judge, Family Court, Nalbari and F.C.(Civil) Case No. 428/2025 pending before the Court of Principal Judge, Family Court, Barpeta .

**5.** It is submitted by Mr. Poddar that the respondent had filed the M.S.(D) Case No. 238/2025 seeking divorce which is pending before the learned Principal Judge, Family Court, Nalbari and the present petitioner has also filed another divorce petition which is pending before the Court of Principal Judge, Family Court, Barpeta. He further submitted that she also filed a petition for maintenance u/s 144 BNSS seeking maintenance which is pending before the Principal Judge, Family Court, Barpeta. Accordingly, he submitted that the petitioner being the residence of a very remote area of Barpeta is not in a position to appear before the learned Principal Judge, Family Court, Nalbari in each and every date for which the present petition is filed seeking transfer. Further, he submitted that due to the illness of her parents she could not appear before the learned Principal Judge, Family Court, Nalbari for which the case is proceeding ex-parte against her.

**6.** Considering the submission made by Mr. Poddar, the learned counsel for the petitioner, let the further proceeding in M.S.(D) Case No. 238/2025 pending before the Court of learned Principal Judge, Family Court, Nalbari be stayed, till the next date of listing.

**7.** List the matter after 4 (four) weeks, as on a date to be fixed by the

Registry.

**JUDGE**

**Comparing Assistant**