

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 : MS. N S THAKURIA,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18.09.2026

Heard Mr. S K Poddar, the learned counsel appearing for the petitioner. Also heard Ms. N S Thakuria, the learned counsel appearing for the respondent.

2. This is an application under Section 24 of the Code of Civil Procedure, 1908 whereby

the petitioner prays for transfer of M.S (D) Case No. 238/2025 pending in the Court of the learned Principal Judge, Family Court, Nalbari to the Court of the learned Principal Judge, Family Court, Barpeta.

3. It is a dispute between the husband and wife. The case pending before the Court of the learned Principal Judge, Family Court, Nalbari was filed by the respondent seeking divorce. Thereafter, the petitioner also filed another case seeking divorce at Barpeta. She filed a case under Section 125 of the Cr.P.C. also in Barpeta.

4. Mr. Poddar has submitted that the respondent husband has been contesting both the divorce proceeding and the proceeding under Section 125 of the Cr.P.C. at Barpeta.

5. Ms. Thakuria has submitted that the distance between Barpeta and Nalbari is below 50 km. Therefore, the petitioner should not have any hardship in attending the proceeding at Nalbari.

6. I have considered the submissions of the learned counsel of both sides.

7. The two cases filed by the petitioner has been contested by the respondent at Barpeta. Therefore, this Court is of the opinion that it would be convenient for the petitioner if the case pending at Nalbari is transferred to Barpeta.

8. Therefore, the prayer of the petitioner is allowed.

9. The M.S (D) Case No. 238/2025 pending in the Court of the learned Principal Judge, Family Court, Nalbari shall be transferred to the Court of the learned Principal Judge, Family Court, Barpeta for disposal.

7. With the aforesaid direction, the Transfer Petition stands disposed of.

JUDGE

Comparing Assistant