

GAHC010287652025



2026:GAU-AS:8248

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

Case No. : Tr.P.(C)/2/2026

SMT. CHAYANIKA DAS
WIFE OF ANGSHUMAN KALITA, DAUGHTER OF LATE BIJOY DAS,
RESIDENT OF BAGAN ROAD (OPP. BONGAIGAON POLICE STATION), P.O
AND P.S- BONGAIGAON, DIST- BONGAIGAON, ASSAM, PIN- 783380

VERSUS

ANGSHUMAN KALITA
SON OF LATE KHAGEN CHANDRA KALITA, RESIDENT OF B.T. ROAD,
BONGAIGAON, P.S., P.O. AND DIST- BONGAIGAON, ASSAM, PIN- 783380,
SHOWN TO BE RESIDING AT FLAT NO. C-7, HOLY MOUNT HOME, ALOK
NAGAR, BHETAPARA CHARIALI, P.O.- BELTOLA, P.S.- HATIGOAN,
GUWAHATI-28, DIST- KAMRUP (M), ASSAM

Advocate for the Petitioner : MR. B J MUKHERJEE, MS R SAHA

Advocate for the Respondent : MAHIBUR RAHMAN, MS. NISHA BEGUM

**BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

ORDER

10.06.2026

Heard Mr. B.J. Mukherjee, learned counsel for the petitioner. Also heard Mr. M. Rahman, learned counsel for the sole respondent.

The instant transfer petition has been filed under Section 24 of the Code of Civil Procedure, 1908 praying for transfer of F.C. (Civil) Case No. 1518/2025 pending before the Court of the Principal Judge, Family Court-II, Kamrup (M) at Guwahati to the Court of the learned District Judge, Bongaigaon or any other appropriate Court at Bongaigaon.

By filing the present transfer petition, the petitioner has stated that the marriage between the petitioner and the respondent was solemnized on 25.02.2022 at Bongaigaon in accordance with Hindu rites and customs. After the marriage ceremony, the reception ceremony was held at the residence of the respondent at Bongaigaon and thereafter the parties started their conjugal life as husband and wife at the respondent's house at Bongaigaon.

Subsequently, differences arose between the parties and the respondent instituted a petition seeking divorce under Sections 13(1)(i-a) and 13(1)(i-b) of the Hindu Marriage Act, 1955 before the Court of the Principal Judge, Family Court-II, Kamrup (M) at Guwahati which was registered as F.C. (Civil) Case No. 1518/2025.

The petitioner has further stated that the marriage between the parties was solemnized at Bongaigaon and that she has been residing at Bongaigaon at the time of presentation of the F.C.(Civil) Case No. 1518/2025. According to the

petitioner, the parties have never resided together at Guwahati. It is further submitted that it is not possible for the family members of the petitioner to accompany her to Guwahati on each and every date fixed in the case. Moreover, the petitioner is not employed and has exhausted most of her savings and therefore, appearance before the Court at Guwahati would add to her financial burden and cause considerable hardship. It is also stated that the respondent is a businessman having an established business at Bongaigaon with sufficient means and therefore, can conveniently pursue the case at Bongaigaon.

The petitioner has also stated that since the marriage was solemnized at Bongaigaon and she is residing there, the Court of the learned District Judge, Bongaigaon has the territorial jurisdiction and authority to deal with matrimonial matters.

The learned counsel for the petitioner has therefore prayed that F.C. (Civil) Case No. 1518/2025 pending before the Court of the Principal Judge, Family Court-II, Kamrup (M) at Guwahati may be transferred to the Court of the learned District Judge, Bongaigaon in the interest of justice.

The learned counsel appearing for the sole respondent has not raised any objection to the prayer made by the petitioner in the instant application.

Accordingly, the instant petition stands allowed.

F.C. (Civil) Case No. 1518/2025 pending before the Court of the Principal Judge, Family Court-II, Kamrup (M) at Guwahati is hereby transferred to the Court of the learned District Judge, Bongaigaon. The Principal Judge, Family Court-II, Kamrup (M) at Guwahati is directed to transmit the records forthwith to the Court of the learned District Judge, Bongaigaon.

Thereafter, the parties shall appear before the Court of the learned District

Judge, Bongaigaon on 18th August, 2026.

Let a copy of this order be transmitted to the Court of the Principal Judge, Family Court-II, Kamrup (M) at Guwahati for necessary compliance.

This petition is disposed of with the above directions.

JUDGE

Comparing Assistant