

23.03.2026
Item No.30
Court No. 30
Piya

CO 922 of 2026

Smt Ankita Mitra
-vs-
Sri Animesh Banerjee

Mr. Sayantan Hazra
Ms. Shalini Sen
Ms. Sahina Parvin
... for the Petitioner

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 1376 of 2025 under Section 9 of the Hindu Marriage Act, 1955, from the Court of the learned District Judge, Paschim Medinipur to the Court of the learned Additional District & Sessions Judge, 1st Court, Siliguri Sub-division, Darjeeling.
2. It is the case of the petitioner/wife that she is residing at Siliguri, Darjeeling.
3. On the other hand the husband/opposite party is a resident of Kharagpur, Paschim Midnipur and has filed the Matrimonial suit at Paschim Medinipur Court.
4. The petitioner/wife now prays that the suit being Matrimonial Suit No. 1376 of 2025 pending in the Court of the learned District Judge, Paschim

Medinipur be transferred to the Court of the learned Additional District & Sessions Judge, 1st Court, Siliguri Sub-division, Darjeeling.

5. In view of the judgment of the Hon'ble Supreme Court in ***N.C.V. Aishwarya vs A.S. Saravana Karthik Sha, in Civil Appeal No(s). 4894 of 2022 (arising out of SLP (C) No(s). 16465 of 2021), decided on July 18, 2022, (Para 11, 12)***, the revisional application is required to be heard in presence of the opposite party.

6. Petitioner is directed to serve upon the opposite party and file affidavit of service on the next date of hearing.

7. Pending hearing of the revisional application under Section 24 of the Civil Procedure Code, the proceedings in Matrimonial Suit No. 1376 of 2025 pending before the Court of the learned District Judge, Paschim Medinipur be stayed till 30th April, 2026 or until further order whichever is earlier.

8. Matter to appear in the monthly list of April, 2026 for further hearing.

(Shampa Dutt (Paul), J.)