

24.03.2026
Item No.26
Court No. 30
Piya

CO 1043 of 2026

Smt. Piya Mondal
-vs-
Sri Dipendu Mondal

Ms. Rajlakshmi Ghatak
... for the Petitioner

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 476 of 2025 from the Court of the learned Family Court, Bankura to the Court of the learned Chief Judicial Magistrate, Paschim Bardhaman, Asansol.
2. It is the case of the petitioner/wife that she is residing at Baraboni, Paschim Bardhaman along with her child aged 2 years.
3. On the other hand the husband/opposite party is a resident of Saltora, Bankura and has filed the Matrimonial suit at Bankura Court.
4. The petitioner/wife now prays that the suit being Matrimonial Suit No. 476 of 2025 pending in the Court of the learned Family Court, Bankura be transferred to the Court of the learned Chief Judicial Magistrate, Paschim Bardhaman, Asansol.

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. 476 of 2025 pending before the Court of the learned Family Court, Bankura 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.)