

08.05.2026
Item No.28
Court No. 30
Aloke

CO 1425 of 2026

Moumita Dutta (Saha)

-vs-

Subhasish Dutta

Mr. Supriya Sarkar

Mr. Saikat Nag

... for the Petitioner

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 206 of 2025 under Section 22 of the Special Marriage Act, 1954, from the Court of the learned Additional District and Sessions Judge, Fast Track Court No. 1, Raiganj, Uttar Dinajpur to the Court of the learned Additional District and Sessions Judge at Kalyani, Nadia.
2. It is the case of the petitioner/wife that she is residing at 6/67, Kataganj, P.O.-Kalyani, P.S. Kalyani, Nadia with her child aged about 2 and ½ years.
3. On the other hand the husband/opposite party is a resident of 18, Nripendra Mohan Chandra Sarani, Debi Nagar, P.O.-Raiganj, Dist.-Uttar Dinajpur and has filed the Matrimonial suit at Raiganj Court, Uttar Dinajpur.

4. The petitioner/wife now prays that the suit being Matrimonial Suit no. 206 of 2025 pending in the Court of the learned Additional District and Sessions Judge, Fast Track Court No. 1, Raiganj, Uttar Dinajpur, be transferred to the Court of the learned Additional District and Sessions Judge at Kalyani, Nadia.

5. Accordingly, 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. 206 of 2025 under Section 22 of the Special Marriage Act, 1954, pending before the Court of the learned Additional District and Sessions Judge, Fast Track Court No. 1, Raiganj, Uttar Dinajpur, be stayed till 17th July, 2026 or until further order whichever is earlier.

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

(Shampa Dutt (Paul), J.)