

24.04.2026
Item No.30
Court No. 30
MKP

CO 3572 of 2025

Smt.Bijayata Baraily
-vs-
Sri.Rahul Kumar Biswakarma

Mr. Aman Gupta
for the Petitioner

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 1206 of 2024 of the Special Marriage Act, 1954, from the Court of the learned Additional District Judge, 4th Court, Barasat, District- North 24- Parganas to the Court of the learned Additional District Judge, Siliguri, District- Darjeeling.

2. It is the case of the petitioner/wife that she is residing at M/S.B.K.Stores, Parijat Residency, Parijat Road, Sector-1, Methibari, Siliguri, West Bengal, Pin- 734002.

3. On the other hand the husband/opposite party is a resident of Anil Mansion, 302 B, 2nd floor, Dak Bungalow, Rajarhat, Chowmatha, North 24 Parganas, Pin- 700 135 and presently residing at C/o Bina Biswakarma, Dhobi Line, Carron Tea Garden, Carron Tea Garden Hospital, District-

Jalpaiguri, West Bengal, Pin-735205 and has filed the Matrimonial suit at Barasat.

4. The petitioner/wife now prays that the suit being Matrimonial Suit No. 1206 of 20245 pending in the Court the learned Additional District Judge, 4th Court, Barasat, District- North 24- Parganas and be transferred to the Court of the learned Additional District Judge, Siliguri.

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. 1206 of 2024 pending before the learned Additional District Judge, 4th Court, Barasat, District- North 24- Parganas be stayed till 26th of June, 2026 or until further order whichever is earlier.

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

(Shampa Dutt (Paul), J.)