

19.02.2026
Item No.35
Court No. 30
Piya

CO 4313 of 2025

Smt. Munmun Kanshabanik
-vs-
Sri Suman Dey

Mr. Debanik Banerjee
Mr. Stuzaiifa Shahid
Mr. Dipnil Banerjee
... for the Petitioner

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 716 of 2024 from the Court of the learned District & Session Judge, Howrah to the Court of the learned District Judge, Darjeeling/Additional District Judge, Siliguri.

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 Howrah and has filed the Matrimonial suit at Howrah Court.

4. The petitioner/wife now prays that the suit being Matrimonial Suit No. 716 of 2024 pending in the Court of the learned District & Session Judge, Howrah be transferred to the Court of the learned District Judge Darjeeling/ 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. 716 of 2024 pending before the Court of the learned District & Session Judge, Howrah be stayed till 30th March, 2026 or until further order whichever is earlier.

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

(Shampa Dutt (Paul), J.)