

24.12.2025
Item No.24
Court No. 30
Piya

CO 4511 of 2025

Smt. Atabi Ghosh @ Ghosal
-vs-
Sri Manojit Ghosal

Mr. Rishav Singh
Mr. Soumalya Dutta
... for the petitioner

1. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit 29 of 2025 under Section 13 of the Hindu Marriage Act, 1955 from the Court of the learned Additional District & Session Judge, 2nd Court, Purulia to the learned District Judge, Raiganj, Uttar Dinajpur.

2. It is the case of the petitioner/wife that she is residing at Kaliyaganj, North Dinajpur.

3. On the other hand the husband/opposite party is a resident of Hura, Purulia and has filed the Matrimonial suit at Purulia.

4. Accordingly, in view of the judgments of the Hon'ble Supreme Court in ***Umesh Kumar Sharma-vs- State of Uttarakhand & Ors., in Transfer Petition (Crl.) Nos. 534-536 of 2019, (Para 17 to 22),*** and ***Tejalben vs Mihirbhai Bharatbhai Kothari on 11.01.2016, (2016) 3***

SCC 69, the revisional application is required to be heard in presence of the opposite party.

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

6. Pending hearing of the revisional application under Section 24 of the Civil Procedure Code, the proceedings in Matrimonial Suit No. 29 of 2025 pending before the learned Additional District & Session Judge, 2nd Court, Purulia be stayed till 28th January, 2026 or until further order whichever is earlier.

7. Matter to appear on 13th January, 2026 for further hearing.

(Shampa Dutt (Paul), J.)