

22.07.2026
Item No.18
Court No. 30
skg

CO 4446 of 2023
With
IA CAN 1 of 2026

Rupali Mistry
-vs-
Prabhat Mistry

Mr. Srikanta Dutta, Adv.
Mrs. Rituparna Sarkar Dutta, Adv.
... for the Petitioner

Mr. Sujan Roy, Adv.
...for the respondent

1. Affidavit of service filed be kept with the record.
2. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit No. 259 of 2023 from the Court of the learned Additional District and Sessions Judge (Fast Track Court-II) at Bashirhat, North 24 Parganas to the Court of learned Additional District Judge, Diamond Harbour.
3. It is the case of the petitioner/wife that she is residing with her daughter at Tapukur, Post Office-Hotar, Police Station-Mograhat, District-South 24 Parganas, Pin-743610.
4. On the other hand the husband/opposite party is residing at Nalabara, Post Office- Sarapul, Police Station-Swarupnagar, District- South 24 Parganas, Pin-743286.
5. Considering the said difficulty of the petitioner/wife having a daughter, to travel to

Bashirhat on regular basis, this Court relying upon the judgments 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(C) No(s). 16465 of 2021), decided on July 18, 2022, (Para 11, 12)***, directs that Matrimonial Suit no. 259 of 2023 be withdrawn from the Court of the learned Additional District and Sessions Judge (Fast Track Court-II) at Bashirhat, North 24 Parganas and be transferred to the Court of learned Additional District Judge, Diamond Harbour, South 24 Parganas.

6. The learned Additional District Judge, Diamond Harbour shall proceed with the suit in accordance with law with due notice upon both the parties.
7. Keeping in mind the case of the opposite party herein, the learned Additional District Judge, Diamond Harbour, shall be at liberty to permit the opposite party to appear virtually, if such prayer is made.
8. **CO 4446 of 2023** is disposed of along with CAN 1 of 2026 is also disposed of.
9. Parties to act on the server copy of this order.
10. Let a copy of this order be sent to the concerned Courts for immediate compliance.

(Shampa Dutt (Paul), J.)