

8th October, 2020
(D/L No.7)
(SKB)

C.O. 3784 of 2019
(Via Video Conference)

Smt. Ojaswita Roy Sen
Versus
Dr. Arindam Sen

Mrs. Sohini Chakraborty,
Ms. Priyarthi Roy

... for the petitioner.

The petitioner is the defendant in a matrimonial suit filed under Sections 25 and 27 of The Special Marriage Act, 1954 by the opposite party/husband. The matrimonial suit has been filed before the learned Principal Judge, Family Court at Kolkata.

Learned Counsel appearing for the petitioner/wife submits that the petitioner is presently residing at her paternal home near Sukdevpur at Mahestala. Counsel submits that after the collapse of the Majherhat bridge, the petitioner has to travel for 2½ hours one way to reach the Family Court due to traffic conditions and other factors. It is, accordingly, prayed that the matrimonial suit may be transferred to the Alipore Judges' Court. Counsel also submits that the opposite party/husband resides at 138 A, Raja Ram Mohan Sarani, Kolkata-700009 and would therefore, not be inconvenienced if the matrimonial suit is transferred to the Alipore Court.

The opposite party is represented in Court today. He submits that the transportation difficulty cannot be a ground for transferring the suit to the court as prayed for.

Having heard counsel appearing for the parties, this Court is of the view that if the matrimonial suit is transferred to the Alipore Court, the opposite party/husband, being the resident of 138 A, Raja Ram Mohan Sarani, Kolkata-700009, will not be prejudiced or inconvenienced in any way.

C.O. 3784 of 2019 is accordingly disposed of with a direction that the Matrimonial Suit No. 53 of 2019 pending before the learned Principal Judge, Family Court at Calcutta should be transferred to the court of the Learned District Judge, Alipore and all records pertaining to the said suit should be made available before the concerned court so that the suit can be heard out at the earliest.

(Moushumi Bhattacharya, J.)