

21.09.2020

Sl. No.35

Ct-5

BM

CO 1220 OF 2020

+

IA No.CAN 1/2020

Priti Bhattacharya nee Mukherjee

Vs.

Krishanu Bhattacharya

Mr. Javed Majid

... for the petitioner

Mr. Pronojit Roy

... for the respondent

The husband opposite party herein has filed a suit for divorce being MAT Suit No.69 of 2020 before the learned Additional District Judge, Bolpur, District Birbhum under Section 13(1) of the Hindu Marriage Act, 1955.

The wife/petitioner herein has filed the instant application under Section 24 of the Civil Procedure Code for transfer of the aforesaid matrimonial suit to the Court of the learned Judge, Family Court at Calcutta on the ground that she will not be able to bear the travelling and lodging expenses.

A proceeding under the Protection of Women from Domestic Violence Act, 2005 being case No.2 of 2020 is pending before the 20th Metropolitan Magistrate at Calcutta. The proceeding under the Act of 2005 was initiated on the basis of a complaint before the Muchipara

Police Station being Muchipara Police Station case No.2 of 2019. Since a criminal case against the husband is pending, the opposite party herein has to come to Kolkata to attend the criminal case pending before the learned 20th Metropolitan Magistrate at Calcutta and also considering the convenience of the wife, who is residing at Kolkata, the matrimonial suit No.69 of 2020 is withdrawn from the Court of the learned Additional District Judge at Bolpur, Birbhum and the same is transferred to the court of the learned Judge, Family Court at Calcutta.

C.O. 1220 of 2020 and CAN 1 of 2020 are allowed without however, any order as to costs.

(Hiranmay Bhattacharyya, J.)