

S/L 23.
20.04.2021
S.D.

C.O. 24 of 2021

Smt. Sangita Mukherjee (Bhaumik)
Vs.
Sabhajyoti Bhaumik

Mr. Habibur Rahaman

...for the petitioner.

Affidavit of service filed in Court shows that item delivery has been confirmed. The attempt has also been taken to serve learned Advocate on record for the opposite party/husband conducting the proceeding in Matrimonial Suit No. 80 of 2020.

In this application under Section 24 of the Code of Civil Procedure, the petitioner/wife has sought for transfer of the aforementioned matrimonial proceeding pending in the Court of Additional District Judge, Dinhata, Coochbehar to the learned District Judge, Uttar Dinajpur at Raiganj on the sole ground that distance between Raiganj to Dinhata is about 52 km. and there is no direct communication between two places. That apart, the petitioner has to incur expenditure on account of her attendance before the Court where the matrimonial proceeding is pending.

Having regard to the contentions made in the application and the grounds so made and further in consideration of the fact that despite the notice to the respondent/husband, no appearance has been made, the application C.O. 24 of 2021 is allowed.

Accordingly, the Matrimonial Suit No. 80 of 2020 be withdrawn from the file of the Additional District Judge, Dinhata and be transferred to the Court of learned District Judge, Uttar Dinajpur at Raiganj.

Let a copy of this order be communicated to the transferor and transferee Courts for information and necessary action in the matter.

Thus, the application being C.O. 24 of 2021 is disposed of without any order as to costs.

Urgent certified copies of this order, if applied for, be given to the parties upon compliance of the usual formalities.

(Shivakant Prasad,J)