

(04)
05.08.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO No. 185 of 2021

**Smt. Mita Aich nee Roy Chowdhury
-versus-
Sri Koushik Aich**

Mr. Partha Pratim Roy,
Mr. Sarbananda Sanyal,

... for the petitioner.

Mr. Kushi Prasun Chatterjee.. for the opposite party.

The wife/respondent in a matrimonial suit being Matrimonial Suit No. 630 of 2020 filed by the husband/opposite party for dissolution of marriage between the petitioner and opposite party by a decree of divorce is the petitioner of the present application under Section 24 of the Code of Civil Procedure.

The said matrimonial suit is pending before the 2nd Court of learned Additional Judge at Purba Bardhaman.

The petitioner by the present application seeks withdrawal of the said matrimonial suit from the Court where it is now pending and transfer of it to any Court competent to try and dispose it of under the judgeship of learned District Judge at Alipore, District: 24 Parganas (South).

Mr. Kushi Prasun Chatterjee, learned advocate appearing on behalf of the husband/opposite party submits that his client is not opposing the prayer of the wife/petitioner.

In view of such stand being taken by the opposite party, let the Matrimonial Suit No. 630 of 2020 be withdrawn from the file of the 2nd Court of learned Additional District Judge at Purba Bardhaman and be transferred to the file of the Court of the learned District Judge at Alipore, District: 24 Parganas (South).

Learned District Judge at Alipore shall either keep the said suit in his own file or shall transfer it to any other court subordinate to it competent to try and dispose of the same.

The transferee Court shall proceed with the suit from the point at which it has already reached.

CO 185 of 2021 is thus allowed without any order as to costs.

The department is directed to communicate this order immediately to the 2nd Court of the learned Additional District Judge at Purba Bardhaman.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)