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SK
Ct. No. 18
21.09.2021

**C.O. No. 611 of 2019
(Via Video Conference)**

**Smt. Rini Das
Vs.
Sri Sudhendu Das**

Mr. Ankit Agarwala,
Ms. Alotriya Mukherjee ... For the petitioner.

Ms. Alotriya Mukherjee, learned advocate appearing on behalf of the petitioner files affidavit-of-service, which is taken on record.

None appears on behalf of the opposite party in spite of service.

The wife/respondent in the Matrimonial Suit No. 693 of 2018 filed by the husband/opposite party for dissolution of marriage between the parties to the proceeding 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 Court of learned Additional District Judge, at Baruipur, District- 24 Parganas (South).

The petitioner by the present application is praying withdrawal of the said suit from the Court where it is now pending and for transfer of it to the Court of learned District Judge at Chinsurah, District- Hooghly on the ground that she is residing at Village – Mahanad, District-Hooghly with her minor son, as

such, it would be difficult for her to travel a distance of about 200 km to Baruipur from her residence and contest the said matrimonial suit.

That apart, a proceeding for maintenance under Section 125 of the Code of Criminal Procedure being Misc. Case No. 336 of 2011 and another proceeding under Section 12 of the Protection of Women from Domestic Violence Act, 2005 being Misc. Case No. 158 of 2014 are pending before the learned Chief Judicial Magistrate at Chinsurah, District- Hooghly where the husband/opposite party has entered appearance and is contesting.

In view of the distance between Baruipur and Hooghly, the petitioner is justified in pleading inconvenience in attending the Court where the said matrimonial suit is now pending, that apart, all the proceedings between the parties should be brought at one place to save the unnecessary expenses and time of the parties, therefore, the prayer of the petitioner deserves to be allowed.

Let the Matrimonial Suit No. 693 of 2018 **(Sudhendu Das vs. Rini Das)** be withdrawn from the Court of learned Additional District Judge at Baruipur, District – 24 Parganas (South) and be transferred to the Court of learned District Judge at Chinsurah, District-Hooghly, who may either keep the said suit in his own file or may transfer it to any Court

under his Judgeship competent to try and dispose of the said matrimonial suit.

The said suit, after transfer, shall proceed from the point at which it was withdrawn.

The petitioner is directed to communicate this order to the opposite party in course of this week.

The department is directed to communicate this order immediately to the Court of learned Additional District Judge, at Baruipur, District – 24 Parganas (South).

C.O. 611 of 2019 is thus allowed with the above terms without any order as to costs.

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

(Biswajit Basu, J.)