

56,Ct.18
04.10.2021
AJ.

C.O. 460 of 2021
(Via Video Conference)

Smt. Rimpa Mandal Nee Das
-Vs-
Sri Debabrata Mandal

Mr. Dhilan Sengupta,
Mr. Ayan Chakraborty.
... for the petitioner.

Mr. Kalidas Saha.
... for the opposite party.

The wife/respondent in the Matrimonial Suit No. 347 of 2020 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 learned Additional District Judge, Fast Track Court-I at Malda.

The petitioner by the present application is praying withdrawal of the said suit from the Court where it is now pending and transfer of it to the Court of learned Additional District Judge at Sealdah or to the Court of learned District Judge, Alipore, District-24-Parganas (South) on the ground that she is residing at Jadavpur, Kolkata as such, it would be difficult for her to travel to Malda from her residence and contest the said matrimonial suit.

In view of the distance between Jadavpur and Malda, the petitioner is justified in pleading her inconvenience in attending the Court where the said matrimonial suit is now pending.

The prayer of the petitioner, therefore, deserves to be allowed.

Let the Matrimonial Suit No. 347 of 2020 (*Debabrata Mandal vs. Rimpa Das*) be withdrawn from the learned

Additional District Judge, Fast Track Court-I at Malda and be transferred to the Court of learned District Judge District 24-Parganas (South) at Alipore, who may either keep the said suit in his own file or may transfer it to any Court competent to try and dispose of the said suit under his Judgeship.

The said suit, thereafter, shall be proceeded with from the point at which it was withdrawn.

Irrespective of transmission of the records of the said matrimonial suit, the parties shall appear before the Court of learned District Judge, District-24-Parganas (South) at Alipore on **November 22, 2021** upon production of the server copy of this order.

C.O. 460 of 2021 is allowed with the above terms without any order as to costs.

The department is directed to communicate this order immediately to the learned Additional District Judge, Fast Track Court-I at Malda and the said Court, on receipt of such communication, shall expedite the transmission of the records of the said suit.

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.)