

29,Ct.18
30.09.2021
AJ.

C.O. 948 of 2020
(Via Video Conference)
Smt. Dipanita Nandi (Roy)
@ Dipannita Ray Nandi
-Vs-
Biswajit Nandi

Mr. Amanul Islam,
Mr. Saurav Mukherjee.
... for the petitioner.

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

The wife/respondent in the Matrimonial
Suit No. 244 of 2019 filed by the
husband/opposite party for dissolution of
marriage between the parties 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-1 at Krishnanagar, District-Nadia.

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 District Judge, District-
Purba Burdwan on the ground that she is
residing at Purbapara, P.S. Burdwan (Purba)
along with her minor daughter, as such, it would
be difficult for her to travel to Krishnanagar from
her residence and contest the said matrimonial
suit.

That apart, a proceeding for maintenance filed by the petitioner under Section 125 of the Code of Criminal Procedure being Misc. Case No. 522 of 2019 is pending before the learned Chief Judicial Magistrate, District- Purba Burdwan, which the husband/opposite party is contesting.

The petitioner, in view of the distance between Purba Burdwan and Krishnanagar, is justified in pleading her inconvenience in attending the Court of learned Additional District Judge, Fast Track Court-1 at Krishnanagar, District-Nadia; moreover, all the proceedings between the parties should be brought at one place to avoid unnecessary expenses and inconvenience of the parties. The prayer of the petitioner, therefore, deserves to be allowed.

Let the Matrimonial Suit No. 244 of 2019 **(Sri Biswajit Nandi vs. Smt. Dipanita Nandi (Roy))** be withdrawn from the Court of the learned Additional District Judge, Fast Track Court-1 at Krishnanagar, District-Nadia and be transferred to the Court of learned District Judge, District- Purba Burdwan, 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the said suit under his judgeship and the said suit, thereafter, shall be proceeded with from the point at which it was withdrawn.

The petitioner is directed to communicate this order to the opposite party within seven days from date.

The department is directed to communicate this order immediately to the Court of the learned Additional District Judge, Fast Track Court-1 at Krishnagar, District-Nadia and the said Court, on receipt of such communication, shall expedite the transmission of the records of the said suit.

C.O. 948 of 2020 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.)