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SK
Ct. No. 18
04.10.2021

**C.O. No. 562 of 2021
(Via Video Conference)**

**Rina Pal
Vs.
Partha Sarathi Pal**

Mr. Basudeb Gayen ... For the petitioner.

Mr. Basudeb Gayen, 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. 241 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 Court of learned Additional District Judge at Katwa, District- Purba Bardhaman.

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 1st Court of learned Additional District Judge at Serampore, District- Hooghly on the ground that she is residing at Serampore, District-Hooghly with her daughter, as

such, it would be difficult for her to travel a distance of about 251 km to the said Court at Katwa from her residence and contest the said matrimonial suit.

That apart, a proceeding for maintenance under Section 125 of the Code of Criminal Procedure filed by the petitioner being Misc. Case No. 344 of 2015 is pending before the learned Additional Chief Judicial Magistrate at Serampore, District- Hooghly, where the husband/opposite party has entered appearance and is contesting.

In view of the distance between Katwa and Serampore, 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 avoid inconvenience and unnecessary expenses of the parties.

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

Let the Matrimonial Suit No. 241 of 2020 (**Partha Sarathi Pal vs. Rina Pal**) be withdrawn from the Court of learned Additional District Judge at Katwa, District- Purba Bardhaman and be transferred to the Court of learned District Judge, District-Hooghly.

The said learned District Judge, after receipt on the said records, shall transfer the said matrimonial suit to any court competent to try and dispose of the said suit under his Judgeship at Serampore and 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 Court of learned District Judge, District-Hooghly on **November 22, 2021** upon production of the server copy of this order.

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

C.O. 562 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 Court of learned Additional District Judge at Katwa, District- Purba Bardhaman and the said Court, upon receipt of such communication, shall expedite the transmission of the records of the said matrimonial 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.)