

06.04.2021
Sl. No. 175
srm

C.O. No. 816 of 2021
Sri Sovan Chatterjee
Vs.
Smt. Ratna Chatterjee

Mr. Saptansu Basu,
Ms. Suman Agarwal

...for the Petitioner.

This revisional application has been filed by the husband in Matrimonial Suit No.103 of 2017, which was pending before the learned Additional District Judge, 6th Court at Alipore, South 24-Parganas. Being aggrieved by the certain remarks made by the learned Additional District Judge, the petitioner filed an application under Section 24 of the Code of Civil Procedure on October 3, 2019 being Miscellaneous Case No.505 of 2019 which is pending before the learned District Judge at Alipore, South 24-Parganas. There was several allegations against the learned trial Court for which the transfer of the matrimonial suit was sought.

This Court is not concerned with the allegations against the learned trial Judge nor with the grounds for transfer. It is up to the learned District Judge whether to allow or disallow such transfer. However, it appears that the said application for transfer has been pending for more than one and a half years.

The written objection to the said application has also been filed and the hearing has commenced.

Under such circumstances, without going into the merits of the petitioner's case and without making any observation on the fate of the application for transfer, this revisional application is disposed of with a direction upon the learned District Judge at Alipore to dispose of the Miscellaneous Case No.505 of 2019 arising out of Matrimonial Suit No.103 of 2017 as expeditiously as possible but positively within a period of two months from the next date fixed, upon hearing the parties.

The learned District Judge shall proceed independently and in accordance with law.

The learned Advocate-on-record for the petitioner is directed to serve a copy of this revisional application upon the opposite party along with a server copy of this order within this week.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)