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SK
Ct. No. 18
31.08.2021

**C.O. No. 1226 of 2021
(Via Video Conference)**

**Tripti Das & Anr.
Vs.
The Shriram General Insurance Co. Ltd. & Ors.**

Mr. Rajdeep Bhattacharya,
Ms. Sevanti Roy ... For the petitioners.

Mr. Rajesh Singh ... For the O.P. No. 1.

Mr. Arnab Das,
Ms. Paromita Purakait ... For the O.P. Nos. 3 to 5.

The petitioners of the present application under Section 24 of the Code of Civil Procedure are the claimants in Motor Accident Claim Case No. 360 of 2018, pending before the learned Additional District Judge, 3rd Fast Track Court at Barasat, District – 24 Parganas (North).

The petitioners are praying withdrawal of the said case from the Court where it is now pending and transfer of the same to the Court of learned Additional District Judge, 4th Fast Track Court at Alipore, District – 24 Parganas (South) on the ground that another case being M.A.C.C. Case No. 848 of 2018 arising out of the same accident is pending before the said Court.

The two cases since are arising out of the selfsame accident they are required to be heard by the same Court, but whether analogously or otherwise, it is for the transferee Court to decide.

Let the Motor Accident Claim Case No. 360 of 2018 be withdrawn from the Court of learned Additional District Judge, 3rd Fast Track Court at Barasat, District – 24 Parganas (North) and be transferred to the Court of learned Additional District Judge, 4th Fast Track Court at Alipore, District - 24 Parganas (South) for trial and disposal.

The transferee Court shall proceed with the transferred case from the stage at which it has already reached.

C.O. 1226 of 2021 is thus disposed of 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.)