

14.09.2021
(S/L-59)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1316 of 2021

Smt. Piyali Ghosal (Banerjee)

-Vs-

Shri Anirban Ghosal

Mr. Uday Sankar Chattopadhyay,
Mr. Suman Sanker Chatterjee,
Mr. Pronay Basu,

..... For the petitioner.

Mr. Uday Sankar Chattopadhyay, learned advocate appearing on behalf of the petitioner files affidavit-of-service in Court today, which is taken on record.

None appears on behalf of the opposite party to oppose the prayer of the petitioner in spite of service.

The wife/ respondent of the matrimonial suit being MAT Suit No. 1141 of 2020 filed by the husband/opposite party seeking 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 Court of learned District Judge at Barasat, District- 24 Parganas (North).

The petitioner by the present application is seeking withdrawal of the said suit from the

Court where it is now pending and transfer of it to the Court of the learned District Judge at Alipore, District- 24-Parganas (South) on the grounds that proceeding for maintenance initiated by the petitioner under Section 125 of the Code of Criminal Procedure and proceeding under Section 25 of the Guardians and Wards Act, 1890 initiated by the opposite party for custody of the child of the parties are pending before the competent courts under the Judgeship of learned District Judge at Alipore, District- 24-Parganas (South).

All pending proceedings between the parties are required to be brought at one place to avoid inconvenience and unnecessary expenses of the parties, therefore, the prayer of the petitioner deserves to be allowed.

Therefore, the MAT suit no. 1141 of 2020 (***Sri Anirban Ghoshal vs. Smt. Piyali Ghoshal***) be withdrawn from the Court of learned District Judge at Barasat, District 24-Parganas (North) and be transferred to the Court of learned District Judge at Alipore, District-24-Parganas (South), who may either keep the said suit in his own file or may transfer the same to any other Court under his Judgeship competent to try and dispose of the said suit.

The transferee Court shall proceed to dispose of the said suit from the stage where it has already reached.

The petitioner is required to communicate this order to the opposite party within a period of week from date.

C.O. 1316 of 2021 is disposed of 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.)