

(27)
10.09.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO No. 1359 of 2021

**Nabanita Routh De
-versus-
Sarnendu De**

Mr. Soumak Bera,
... for the petitioner.

Mr. Chitra Bhanu Gupta, ... for the opposite party.

Mr. Soumak Bera, learned counsel appearing on behalf the petitioner files affidavit of service, which is taken on record.

Mr. Chitra Bhanu Gupta, learned counsel appears on behalf of the opposite party.

The wife/respondent in a matrimonial suit being MAT Suit No. 2659 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 Court of the learned District Judge at Barasat, District: 24 Parganas (North).

The petitioner by the present application is praying for withdrawal of the said suit from the said Court and transfer of it to the Court of learned District Judge at Paschim Medinipur on the ground that she resides at Paschim Medinipur, as such it

would be difficult for her to travel from her residence to the Barasat to contest the said matrimonial suit.

Mr. Chitra Bhanu Gupta, learned counsel for the opposite party submits that his client has no objection if the said suit is transferred to the Court as prayed for but his client expects expeditious disposal of the said suit.

In view of the distance between Paschim Medinipur and Barasat, the inconvenience pleaded by the petitioner cannot be ruled out, therefore, the prayer of the petitioner deserves to be allowed.

Let MAT Suit No. 2659 of 2019 (**Mr. Sarnedu De vs. Nabanita Routh De**) be withdrawn from the Court of the learned District Judge at Barasat, District : 24 Parganas (North) and be transferred to the Court of the learned District Judge at Paschim Medinipur, who may either keep the said suit in his own file or may transfer to any 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.

Mr. Gupta also submits that this matrimonial suit although was filed in the year 2019, but the petitioner has not yet entered appearance in the said suit.

The parties are directed to appear before the learned District Judge at Paschim Medinipur on **September 20, 2021**.

The department is directed to communicate this order immediately to the learned District Judge at Barasat, District-24 Parganas (North).

CO 1359 of 2021 is thus 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 of all requisite formalities.

(Biswajit Basu, J.)