

(11)
16.09.2021
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)
CO No. 2431 of 2019
(IA CAN 1/2019) (Old CAN 8585/2019)
(Application is not in this file)

Smt. Parama Sinha
-versus-
Sri Arnab Sinha

Mr. Palash Mukherjee,
Ms. Sucheta Mitra,
... for the petitioner.

The opposite party is not represented despite service.

The wife/petitioner of the Matrimonial Suit No. 810 of 2013 for dissolution of the 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 petitioner at the time of filing of the said suit was residing at Howrah, as such, the said suit was filed in the Court of learned District Judge at Howrah which was subsequently transferred to the 4th Court of learned Additional District Judge at Howrah and is pending in the said court.

The petitioner by the present application is praying withdrawal of the said suit from the Court where it is now pending and transfer of it to the Court of the learned Additional District Judge at Kalyani, District-Nadia on the grounds that at present, she is living with her minor daughter in her paternal house at Kalyani and several other proceeding between the parties are pending before the competent Criminal Courts at Kalyani.

The petitioner since is living at Kalyani presently and other proceedings between the parties are pending at Kalyani, the prayer of the petitioner deserves to be allowed.

Let the Matrimonial Suit No. 810 of 2013 (*Smt. Parama Sinha vs. Sri Arnab Sinha*) along with connected Misc. Case No. 104 of 2016 be withdrawn from the 4th Court of learned Additional District Judge at Howrah and be transferred to any Court competent to try and dispose of the said suit at Kalyani under the Judgeship of learned District Judge, Nadia at Krishnanagar.

The petitioner shall communicate this order to the opposite party within a week from date.

Irrespective of transmission of the records of the said matrimonial suit, the parties shall appear before the learned District Judge, Nadia at Krishnagar **on September 30, 2021** upon production of the server copy of this order. The learned District Judge, Nadia is requested to act on such communication and expedite the transmission of the records of the said matrimonial suit immediately to any competent Court at Kalyani.

C.O. 2431 of 2019 is allowed with the above terms without any order as to costs.

The connected application being CAN 8585 of 2019 although is appearing in the list but not found in the record; in view of the disposal of the application under Section 24 of the Code, the said application is also disposed of accordingly.

The department is directed to communicate this order immediately to the 4th Court of learned Additional District Judge at Howrah.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)