

19.07.2021

Sl. No.5

Court No.9
BM.

-

CO 1673 of 2020

Smt. Pallavi Roy

Vs.

Priyanko Guha Thakurta

(Via Video Conference)

Mr. Supratik Basu

... for the petitioner

Ms. Mousumi Bhowal, advocate for the opposite party husband has received the intimation with regard to date of hearing fixed this day but none appeared on behalf of the opposite party.

This is an application under Section 24 of the Civil Procedure Code whereby and whereunder the petitioner has sought for transfer of matrimonial proceeding being matrimonial suit No.1738 of 2019 pending in the Court of learned Additional District Judge, Fast Track Court-I, Barasat to the Court of learned Additional District Judge, Alipore for hearing and disposal.

The petitioner was wedded to the opposite party on 7th March, 2019 before the Special Marriage Officer, in the office of Purba Putiary, Police Station Regent Park, Kolkata-700 093, as per the social ceremony and Hindu rites and customs but the marriage between the parties could not be consummated due to physical

disability of the respondent. The respondent went to Ireland on 30.03.2019 leaving the petitioner in India as a result the petitioner had to come to her parent's house and she started living there. The respondent instituted a proceeding and the petitioner has received Summons. The petitioner appeared through her Advocate on 18.11.2020 by filing a Vakalatnama. Now it is difficult for her to attend the court on every date because since she is dependent of her father and she has not enough money to travel such a distance for taking part in the matrimonial proceeding. This is also because there is no male member to accompany her as her father is seriously ill and is not in a position to support in this cause. Accordingly, the petitioner is seeking transfer of the aforementioned proceeding in the court of learned District Judge, Alipore on the ground of inconvenience being faced by her in attending the Court at Barasat.

Having regard to the above facts and finding no contention to the contrary, to mitigate the situation and to give scope to the petitioner to contest the matrimonial proceeding, the proceeding in Matrimonial Suit No.1738 of 2019 be withdrawn from the court of Additional District Judge, Fast Track Court-I, Barasat and be transferred to the learned District Judge, Alipore for disposal.

Let a copy of this order be sent to the transferor and transferee court for information and doing the needful.

Thus, revisional application under Section 24 of the Civil Procedure Code being CO 1673 of 2020 is disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Shivakant Prasad, J.)