

31.03.2022
Ct. 21
D/L 6
ab

C.O. 816 of 2018
With
CAN/1/2018 (Old No. CAN/4754/2018)
With
CAN/2/2019 (Old No. CAN/2469/2019)
With
CAN/3/2020 (Old No. CAN/205/2020)

Smt. Keya Kalsar
-Vs-
Shri Chinmay Kalsar

Ms. Parna Roy,

... for the petitioner

Mr. Soumik Bera,
Ms. Priti Jain,

... for the opposite party

Ms. Prana Roy, learned advocate appears for the petitioner and Mr. Soumik Bera, learned advocate appears for the opposite party.

The application under Section 24 of the Code of Civil Procedure is taken up for hearing.

The learned advocates for both the parties submit that earlier the matter was referred to mediation before the trained enlisted mediator, Shir Jaladhar Mondal, retired District Judge. In the said mediation proceeding, parties have agreed to get the Matrimonial Suit No. 104 of 2017 under Section 27 of the Special Marriage Act, 1954 transferred from the Court of learned District and

Sessions Judge, Purba Medinipur at Tamluk to the Court of learned District Judge, Howrah. Though the mediation proceeding has been ended without any settlement in respect of the dispute between the parties.

Having regard to such submissions made by the learned advocates for the petitioner and the opposite party, let the Matrimonial Suit No. 104 of 2017 be withdrawn from the Court of learned District and Sessions Judge, Purba Medinipur at Tamluk and be transferred to the Court of learned District Judge, Howrah, who may keep the said suit in his/her own file and may transfer the same to any other Court under his/her Judgeship competent to try and dispose of the said suit.

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

The parties shall appear before the learned District Judge, Howrah on 02.05.2022 irrespective of transfer of the records of the said matrimonial suit but only on the basis of sever copy of this order.

The learned District Judge, Howrah shall act on such communication.

The transferee Court is further requested to expedite disposal of the said matrimonial suit in accordance with law.

The learned District and Sessions Judge shall transfer the records of Matrimonial Suit No. 107 of 2017 to the Court of the learned District Judge, Howrah within a period of 30 days from the date of communication of this order.

Accordingly, **C.O. 816 of 2018** and the connected applications are disposed of.

Interim order, if any, stands vacated.

There shall be no order as to costs.

Parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, be applied for, be given to the parties, upon compliance of all formalities.

(Kesang Doma Bhutia, J.)