

01.04.2022
Ct. 21
D/L 7
ab

C.O. 1101 of 2021

Smt. Sumana Kesh

-Vs-

Shri Shyamsundar Kesh

Mr. Uday Sankar Chattopadhyay,
Mr. Sumar Sankar Chatterjee,
Mr. Santanu Maji,
Ms. Snigdha Saha,
Mr. Pronay Basak,
Ms. Trisha Rakshit,

... for the petitioner

Ms. Pampa Dey Dhabal,
Mr. Krishna Deo Das,

... for the opposite party

Mr. Uday Sankar Chattopadhyay, learned advocate appears for the petitioner and Ms. Pampa Dey Dhabal, learned advocate appears for the opposite party.

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

The petitioner/ wife has filed the present application under Section 24 of the Code of Civil Procedure seeking transfer of matrimonial suit being Mat Suit No. 69 of 2020 from the Court of learned Additional District Judge, Bishnupur, Bankura to the Court of the learned District Judge, Purba Bardhaman,

where she has also filed two other applications, one under Section 125 of the Code of Criminal Procedure and another under Section 498A of the Code of Criminal Procedure respectively, which the opposite party/husband is contesting.

It has come on record that the opposite party/husband is working at Kalyani.

This Court holds that it would be more convenient for the opposite party/husband to attend the Court at Purba Bardhaman instead of Bishnupur as in order to come to Bishnupur from Kalyani, he has to travel via Bardhaman, Durgapur and Bankura.

Having regard to such submissions made by the learned advocates for the petitioner and the opposite party, let the Matrimonial Suit No. 69 of 2020 be withdrawn from the Court of learned Additional District Judge, Bishnupur and be transferred to the Court of learned District Judge, Purba Bardhaman, who may keep the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, Purba Bardhaman 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, Purba Bardhaman, 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 Additional District Judge, Bishnupur shall transfer the records of Matrimonial Suit No. 69 of 2020 to the Court of the learned District Judge, Purba Bardhaman within a period of 30 days from the date of communication of this order.

Accordingly, **C.O. 1101 of 2021** is disposed of.

Interim order, if any, stands vacated.

Connected application, if any, also stands disposed of.

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.)