

11.01.2022
Item No.9
Ct. No.7
CHC
(disposed of)

**C.O.1106 of 2021
(Via Video Conference)**

**Poulami Mukherjee nee Banik
Vs.
Dibyendu Kumar Banik**

Mr. Koustav Bagchi,
Mr. Debayan Ghosh
...for the petitioner

Mrs. Sohini Chakraborty
...for the opposite party

This is an application seeking transfer of Matrimonial Suit No.1444 of 2020, from the court of learned Additional District and Sessions Judge, 10th Court, Alipore, District- South 24 Parganas to the court of learned Additional District and Sessions Judge, Barrackpore, District- North 24 Parganas.

Mr. Koustav Bagchi, learned advocate appearing for the petitioner has filed this transfer application taking the grounds of hardship, harassment, multiplicity of litigations, distance to be covered and the financial constraints.

Mrs. Sohini Chakraborty, learned advocate appearing for the opposite party/husband, in reply to the submission of Mr. Bagchi submits that husband

would be at most disadvantageous stage to participate the hearing process of Matrimonial Suit, in the event of the case being transferred to Barrackpore Court.

In a situation like this, as disclosed in the submission of learned advocate for both parties, the Court is of the view that a neutral place would have been the best choice, where it is expected that the comparative advantages and disadvantages and harassment of the parties may be curtailed to a considerable degree.

Having considered the submission of both sides, the Court is of the view that if the case is transferred to Sealdah Court, which is a neutral one, and it is well connected for the availability of several conveyances over there, and in the event of such transfer, there will be no prejudice caused to either of the parties to this case.

The transfer application is thus disposed of directing learned Additional District and Sessions Judge, 10th Court, at Alipore, South 24 Parganas to transfer the Matrimonial Suit No.1444 of 2020 to the court of learned Additional District Judge, Sealdah Court within six (06) weeks from the date of communication of this order.

Both the parties are directed to ensure their appearance before the transferee court on 10th March, 2022.

With this direction/observation, the transfer application being C.O.1106 of 2021 stands disposed of.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)