

08.04.2022
Ct. 21
D/L 10
ab

C.O. 1129 of 2021

Nivedita Goswami Dhol

-Vs-

Debarghaya @ Debarghya Dhol

Mr. Sujay Chakraborty,
Ms. Shashwati Bhattacharjee,

... for the petitioner

None appears on behalf of the petitioner when the matter is called on.

Mr. Sujay Chakraborty, learned advocate for the opposite party is present.

Learned advocate for the opposite party files certified copy of the order dated 07.08.2021 passed in Mat Suit No. 269 of 2021 by the learned Additional District Judge, 1st Court, Serampore, Hooghly (I.C) and also the certified copy of order dated 05.03.2022 passed in Mat Suit No. 557 of 2021 by the learned Additional District Judge, FTC, Serampore. Let those certified copies of the order be retained with the records.

From the certified copy of the order dated 07.08.2021 passed in Mat Suit No. 269 of 2021, it appears that the said suit has already been withdrawn on the prayer of the petitioner with liberty to file a fresh suit.

By filing the present application under Section 24 of the Code of Civil Procedure, the petitioner/wife has prayed for transfer of Matrimonial Suit No. 269 of 2021 from the court of learned Additional District and Sessions Judge, 1st Court at Serampore, Hooghly to the Court of learned Additional District Judge, Barrackpore, North 24 Parganas.

Since there is no existence of Matrimonial Suit No. 269 of 2021 being withdrawn, the present application under Section 24 of the Code of Civil Procedure has become infructuous and redundant.

The application being **C.O. 1129 of 2021** is dismissed as infructuous.

Interim order, if any, stands vacated.

Connected application, if any, stands disposed of.

There shall be no order as to costs.

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

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

(**Kesang Doma Bhutia, J.**)