

24-06-2022
Item no.24
Subrata

IN THE HIGH COURT AT CALCUTTA
Civil Revisional Jurisdiction

CO. No.1479 of 2022
Priyanka Mohata
-vs-
Ashwin Mohata

Mr. Pawan Kumar Gupta
Mr. Manish Sukla
Ms. Sofia Nesar
Mr. Santanu Sett ...for the petitioner

Mr. Kaushik Pradhan ...for the opposite party

Affidavit of service filed in court be taken on record.

Mr Pradhan, learned counsel, represents the opposite party.

The petitioner in this revisional application under section 24 of the Code of Civil Procedure, 1908 seeks transfer of Misc. Case No.16 of 2020 under section 7/8 of the Guardians and Wards Act, 1890 pending before the Additional learned District Judge, FTC-I, Barasat, North 24-Parganas to the court of learned District Judge, South 24-Parganas at Alipore.

At the very outset, learned counsel appearing for the opposite party, opposing the prayer of the petitioner for transfer of the misc. case, submits that a co-ordinate single Bench of this court by an order dated February 17, 2022 passed in CO No.858 of 2020 (Ashwin Mohata v. Smt. Priyanka Mohata) directed the learned Additional District Judge, FTC-I, Barasat to dispose of Misc. Case No.16 of 2020 filed under section 7/8 of the Guardians and Wards Act, 1890 within a specified period. On such score, learned counsel submits that in terms of the said order of the co-

ordinate single Bench, this misc. case should not be transferred at this stage.

A reading of the order dated February 17, 2022 passed in CO No.858 of 2020 shows that a co-ordinate single Bench disposing of the revisional application under Article 227 of the Constitution of India directed the learned court below to dispose of the misc. case within a stipulated period. Under such direction of this court in the aforesaid revisional application, I feel that it would not be wise to transfer the aforesaid misc. case at this stage.

In view of the above, the revisional application under section 24 CPC is liable to be dismissed.

Accordingly, CO No.1479 of 2022, stands dismissed on contest. No order as to costs.

[Rabindranath Samanta, J]