

Ct. 11.8
No. 2022
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C.O. 1037 of 2014

IA No. CAN 1 of 2020 (Old No. CAN 2408 of 2020)
IA No. CAN 2 of 2020 (Old No. CAN 2423 of 2020)

Sutapa Saha
-Versus-
Bablu Saha

Mr. Bhabani Prosad Mondal
Mr. Sukanta Mondal
Mr. Kaustav Chatterjee

...For the Petitioner

Mr. Abdur Rakib

...For the Opposite Party

This revisional application under Section 24 of the Code of Civil Procedure has been filed by the petitioner, Sutapa Saha, seeking transfer of a Matrimonial Suit, being No. 70 of 2013 (Old No. Mat Suit No. 165 of 2013) from the Court of the learned Additional District Judge, Fast Track Court, Baruipur.

As submitted by the learned Lawyers appearing for the parties, the petitioner, Sutapa Saha and the opposite party, Bablu Saha have filed a matrimonial suit under Section 13B of the Hindu Marriage Act, seeking dissolution of their marriage on mutual consent in the Court of the learned Additional District Judge, Barrackpore. That being so, the matrimonial suit, being No. 70 of 2013 (Old No. Mat Suit No. 165 of 2013) filed by the opposite party has now become infructuous.

Learned Lawyer appearing for the opposite party submits that his client undertakes that he will withdraw the matrimonial suit pending in the Court at Baruipur soon. According to learned Lawyer this revisional application may be disposed of recording the undertaking of his client.

Since, the matrimonial suit under Section 13B of the Hindu Marriage Act seeking dissolution of marriage

between the parties on mutual consent, has been filed, the matrimonial suit, being No. 70 of 2013 (Old No. Mat Suit No. 165 of 2013) has now become infructuous.

Placing reliance on the undertaking given by the learned Lawyer on behalf of his client that the opposite party will withdraw the matrimonial suit, I think that the instant revisional application may be disposed of accordingly.

Therefore, in view of the undertaking given by the opposite party, the revisional application and connected applications, if any, stand disposed of.

There shall be no order as to costs.

Urgent photostat copy of the order, if applied for, be supplied to the parties on priority basis on compliance of all necessary formalities.

(Rabindranath Samanta, J.)