

D/L. 131.
October 31, 2022.
MNS.

C. O. No. 2341 of 2022

Smt. Pallabi Chatterjee
Vs.
Sri Haranath Goswami

Mr. Dipendu Sarkar

... for the petitioner.

Affidavit-of-service filed by the petitioner
be kept on record.

The postal endorsement shows that the
opposite party has refused to receive the copy of
the revisional application.

Despite service, opposite party is not
represented.

This is an application under Section 24 of
the Code of Civil Procedure for transfer of
Matrimonial Suit No. 236 of 2022 from the court
of learned District and Sessions Judge at
Bankura, to the court of learned District and
Sessions Judge at Purulia.

Petitioner contended that the marriage
between the petitioner and the opposite party was
registered under the Special Marriage Act on
February 27, 2020. Petitioner further submits that
since after few weeks of marriage, the petitioner

herein was subjected to physical and mental torture by her in laws and she further alleged that on June 23, 2022 night the opposite party tried to throttle the petitioner but she somehow managed to escape and started residing at her paternal home since then. After twelve days of said incident the opposite party/husband filed the aforesaid suit for dissolution of marriage in the court of the learned District Judge at Bankura. Petitioner further submits that the petitioner's present residence situates at a distance of 84 kilometers from the court of the learned District Judge, Bankura and, therefore, it is very difficult for the petitioner to move alone to attend the court for such proceeding. Petitioner further submits that she is an unemployed lady and the transportation system is very poor in between Purulia and Bankura and there is no male member except her aged father to accompany her to commute such long distance in order to attend the said proceeding. Accordingly, the petitioner has sought for aforesaid transfer.

While considering the question of transfer particularly in matrimonial proceedings, the disadvantageous situation of the wife cannot be overlooked. It is all the more necessary where the

petitioner is financially handicapped and had to depend upon her father to meet the expenses.

Having considered the aforesaid facts and circumstances of the case and that the petitioner is an unemployed lady and that in such cases the inconvenience caused to the petitioner is of paramount importance, I find that this is a fit case that the prayer made by the petitioner is allowed.

Learned District Judge, Bankura is hereby directed to withdraw the Matrimonial Suit No. 236 of 2022 from the court of learned District Judge at Bankura, and to transmit the case record to the court of learned District Judge, at Purulia, within a period of three weeks from the date of the order.

The transferee court will serve notice upon both the parties intimating the next date of hearing, before taking up further proceeding of the suit.

C. O. No. 2341 of 2022 is accordingly disposed of.

The department is directed to send a copy of this order to the court of learned District Judge, Bankura and to the learned District Judge, at Purulia, immediately.

Urgent photostat certified copies of this order, if applied for, be made available to the

parties upon compliance with the requisite formalities.

(Ajoy Kumar Mukherjee, J.)