

07.04.2022
Ct. 21
D/L 8
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C.O. 2235 of 2021

Amrita Chatterjee
-Vs-
Santanu Chatterjee

Mr. Uday Sankar Chattopadhyay,
Mr. Suman Sankar Chattopadhyay,
Mr. Soumen Banerjee,

... for the petitioner

Mr. Sundar Gopal Bhattacharyya,

... for the opposite party

Mr. Uday Sankar Chattopadhyay, learned advocate appears for the petitioner and Mr. Sundar Gopal Bhattacharyya, learned advocate appears for the opposite party.

The application under Section 24 of the Code of Civil Procedure is taken up for hearing.

Heard the learned advocates for the parties.

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. 637 of 2021 from the Court of learned Additional District Judge, 6th Court, Alipore, South 24 Parganas to the Court of learned District Judge, Purba Bardhaman.

At the time of hearing, the learned advocate appearing for the opposite party raises no objection and

submits that the opposite party has no objection if the matrimonial suit is transferred from the Court of Alipore to the Court of learned District Judge, Purba Bardhaman.

He produce a letter written by opposite party to him and where opposite party has expressed that he has no objection if the case filed by him in Alipore Court is transferred to the Court of Purba Bardhaman in order to prevent hardship to his wife and minor child.

Let such letter be retained with the record.

Having regard to the submissions made by learned advocates for the parties the Matrimonial Suit No. 637 of 2021 be withdrawn from the Court of learned Additional District Judge, 6th Court, Alipore, South 24 Parganas and be transferred to the Court of learned District Judge, Purba Bardhaman, who may keep the said suit in his/her own file and may transfer the same to any other Court under his/her Judgeship competent to try and dispose of the said suit.

The learned Additional District Judge, 6th Court, Alipore, South 24 Parganas shall transfer the records of Matrimonial Suit No. 637 of 2021 to the Court of the learned District Judge, Purba Bardhaman within a period of 30 days from the date of communication of this order.

The parties shall appear before the learned District Judge, Purba Bardhaman on 16.05.2022

irrespective of transfer of the records of the said matrimonial suit but only on the basis of server copy of this order.

The learned District Judge, Purba Bardhaman shall act on such communication.

The transferee Court shall proceed to dispose of the said suit from the stage at which it has already reached.

The transferee Court is further requested to expedite disposal of the said matrimonial suit in accordance with law.

Accordingly, **C.O. 2235 of 2021** is disposed of.

Interim order, if any, stands vacated.

Connected application, if any, also stands disposed of.

There shall be no order as to costs.

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

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

(Kesang Doma Bhutia, J.)