

05.04.2022
Ct. 21
D/L 17
ab

C.O. 2340 of 2021
With
IA No. CAN/1/2022
Rebati Raman Bera
-Vs-
Rebati Raman Dolui

Mr. Sanjib Kumar Mukhopadhyay,
Ms. Nargish Parveen,

... for the petitioner

Mr. Gopal Chandra Ghosh,
Mr. Raj Krishna Mondal,

... for the opposite party

Mr. Sanjib Kumar Mukhopadhyay, learned advocate appears for the petitioner and Mr. Gopal Chandra Ghosh, learned advocate appears for the opposite party.

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

By filing the application under Section 24 of the Code of Civil Procedure, the petitioner has prayed for transfer of Title Suit No. 101 of 2021 from the Court of learned Civil Judge (Junior Division) at Ghatal to any Court at Calcutta as the petitioner is aged about 93 years and it will not be possible on his part to attend the Court at Ghatal on each and every date of hearing.

On the other hand, the learned advocate for the opposite party submits that the opposite party is an aged person suffering from various ailments. However, he submits that the said title suit may be transferred to any neutral place for the convenience of the parties.

Both the parties suggest that the suit may be transferred at Howrah Court.

Let the Title Suit No. 101 of 2021 be withdrawn from the Court of learned Civil Judge (Junior Division) at Ghatal and be transferred to the Court of learned Civil Judge (Junior Division) 1st Court, Howrah. The transferee Court shall proceed to dispose of the said suit from the stage at which it has already reached.

The learned Civil Judge (Junior Division) at Ghatal shall transfer the records of Title Suit No. 101 of 2021 to the Court of the learned Civil Judge (Junior Division) 1st Court, Howrah within a period of 30 days from the date of communication of this order.

The parties shall appear before the learned Civil Judge (Junior Division) 1st Court, Howrah on 02.05.2022 irrespective of transfer of the records of the said title suit but only on the basis of sever copy of this order.

The learned Civil Judge (Junior Division) 1st Court, Howrah, shall act on such communication.

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

Accordingly, **C.O. 2340 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.)