

02.05.2022
Ct. 21
D/L 18
ab

C.O. 3903 of 2019
With
IA No. CAN/1/2020 (Old No. 1620/2020)

Gouri Reals and Properties & Ors.
-Vs-
Ghani Khan Institute of Engineering & Technology
& Anr.

Mr. Ganesh Banerjee,
Mr. Tanmoy Basu,
Mr. Majoj Adak,

... for the petitioner

Mr. Sarwar Jahan,
Ms. Mousumi Mitra,

... for the opposite party

Mr. Ganesh Banerjee, learned advocate appears
for the petitioner.

The learned advocate for the petitioner files
affidavit of service along with postal receipt and track
report showing due service upon the opposite party.

Mr. Sarwar Jahan, 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 petitioners have

prayed for transfer of Money Suit No. 38 of 2019, from the Court of learned Civil Judge (Senior Division), 2nd Court at Malda to the City Civil Court, Calcutta or to any competent Court in Kolkata.

However, both the learned advocates have agreed that Money suit No. 38 of 2019 be transferred to the learned Chief Judge, City Civil Court, Calcutta.

The application under Section 24 of the Code of Civil Procedure is allowed on consent.

Let the Money Suit No. 38 of 2019 be withdrawn from the Court of learned Civil Judge (Senior Division), 2nd Court at Malda and be transferred to the learned Chief Judge, City Civil Court, Calcutta, who may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 Civil Judge (Senior Division), 2nd Court at Malda shall transfer the records of Money Suit No. 38 of 2019 to the Court of the learned Chief Judge, City Civil Court, Calcutta within a period of 30 days from the date of communication of this order.

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

The parties shall appear before the learned Chief Judge, City Civil Court, Calcutta on 06.06.2022 irrespective of transfer of the records of the said money

suit but only on the basis of server copy of this order. The learned Chief Judge, City Civil Court, Calcutta, shall act on such communication.

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

Accordingly, **C.O. 3903 of 2019** is disposed of.

Interim order, if any, stands discharged.

Connected application being **CAN 1 of 2020 (Old No. 1620 of 2020)** 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.)