

30.11.2022

Ct. 30
Sd./36

CRR 1354 of 2020

Mr. D. Guha
Mr. D. Banerjee
Ms. A. Sarkar ..For the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh ..For the State.

Affidavit of service showing due service upon the opposite party 2 is filed. But in spite of due service, none appeared for the opposite party no. 2.

The prayer of the petitioner herein is for transfer of Misc. Case No. 104 of 2017 pending before the learned Judicial Magistrate, Kandi, Murshidabad to the appropriate court in Purba Burdwan.

It is the contention of the petitioner that at the relevant point, she was a temporary resident of Kandi, Murshidabad, and as such, the case was filed there. But presently the petitioner and the opposite party are residing in Katwa and Ketugram respectively. Documents of the trial court placed before the Court supports the said contention.

Accordingly, in the interest of justice, Misc. Case No. 104 of 2017 pending before the learned Judicial Magistrate, Kandi, Murshidabad be transferred to the court of learned ACJM, Purba Burdwan.

The learned ACJM, Purba Burdwan will try the case himself or transfer the same to another Magistrate

for disposal as he may deem fit on completion of all formalities and process to both sides.

Let a copy of this order be sent to the Court of the learned Judicial Magistrate, Kandi, Murshidabad and the court of learned ACJM, Katwa, Purba Burdwan.

The revisional application is thus disposed of. All connected applications, if any, are also stands disposed of. Interim order, if any, stands vacated.

There will be no order as to costs.

All the parties to act on the basis of server copy downloaded from the official Website of the Hon'ble Court.

(Shampa Dutt (Paul), J.)