

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

06.06.2022

Item no. **18**

Dd

CO 43 of 2022

**Smt. Kumari Ranjana @ Babli Jha
Vs.
Sri Pankaj Kumar Mishra**

Mr. Hillol Saha Podder,
Ms. Mousumi Das, Advocates
... ... For the Petitioner/respondent

Mr. Ronit Kumar Jha,
Mr. V. Basfore, Advocate
... ...For the opposite party/petitioner

Petitioner seeks transfer of Matrimonial Suit no. 179 of 2021 filed by the opposite party pending before the learned District Judge at Jalpaiguri to the learned District Judge Uttar Dinajpur, Raiganj. Petitioner submits that the petitioner is the wife of the opposite party. The petitioner is a resident of Raiganj and is working there. The petitioner is finding it inconvenient to travel to Jalpaiguri for the purpose of defending the Matrimonial suit. The opposite party is taking undue advantage of her location at Raiganj and her service at Raiganj and is trying to obtain an ex parte decree in the matrimonial proceeding.

Learned advocate appearing for the opposite party submits that the petitioner was represented by an advocate on at least four several occasions before the learned District

Judge at Jalpaiguri. He submits that the opposite party consents to the transfer of the matrimonial suit as prayed for provided that such suit is disposed of as expeditiously as possible by the transferred Court.

There is a proceeding pending between the parties being Matrimonial Suit No. 179 of 2021 before the learned District Judge, Jalpaiguri.

On consent of the opposite party, Matrimonial Suit no. 179 of 2021 is transferred to the learned District Judge at Uttar Dinajpur, Raiganj.

Learned District Judge, Jalpaiguri is requested to transmit all records of Matrimonial Suit No. 179 of 2021 to the learned District Judge, Uttar Dinajpur at Raiganj within 7 days from the date of receipt of a copy of this order.

On receipt of the records of Matrimonial Suit No. 179 of 2021, learned District Judge, Uttar Dinajpur at Raiganj is requested to proceed with such suit as expeditiously as possible and endeavour to dispose of the same within four months from the receipt of the records. Learned District Judge, Uttar Dinajpur, Raiganj is at liberty to proceed with Matrimonial Suit no. 179 of 2021 from the stage which it reached before the learned District Judge, Jalpaiguri or such other stage as he deems appropriate.

CO 43 of 2022 is disposed of accordingly.

(Debangsu Basak, J.)