

ORDER SHEET

ALP/6/2021

IN THE HIGH COURT AT CALCUTTA
Extra-Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

SMT. SUDHA DEVI TIBREWAL
-VS-
VIRENDRA PAL MARJARA

BEFORE:

The Hon'ble JUSTICE RABINDRANATH SAMANTA

Date : August 11, 2022.

Appearance:

Mr. Rajarshi Dutta, Adv.
Mr. Rahul Poddar, Adv.
Mr. A.P. Agarwalla, Adv.
... for the petitioner.

Mr. Manik Lal Poddar, Adv.
... for the respondent

The Court: This is an application under Clause 13 of the Letters Patent read with Section 24 of the Code of Civil Procedure seeking transfer of an Ejectment Suit No. 8 of 2018 (Smt. Sudha Devi Tibrewal Vs. Virendra Pal Marjara) from the Court of the learned Judge, VIth Bench, City Civil Court at Calcutta.

The petitioner Smt. Sudha Devi Tibrewal alias Sudha Devi in her application states that the learned VIth Bench, City Civil Court, Calcutta is lying vacant since long. Because of this, the application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 is not being disposed of.

The petitioner is aged about 79 years and as such she intends that the suit be disposed of expeditiously.

It is the fact that the learned VIth Bench, City Civil Court, Calcutta is lying vacant.

The petitioner has sought for transfer of the aforesaid suit from the City Civil Court to this Court.

But there are other Benches under the Judgeship of the Chief Judge, City Civil Court, Calcutta.

Having heard the learned counsel appearing for the parties and considering all aspects of the matter, I think that it will be wise to withdraw the aforesaid suit from the learned VIth Bench, City Civil Court, Calcutta to transfer the suit to the learned Xth Bench, City Civil Court, Calcutta for disposal.

In view of the above, the application is allowed.

Let Ejectment Suit No. 8 of 2018 (Smt. Sudha Devi Tibrewal Vs. Virendra Pal Marjara) be withdrawn from the learned VIth Bench, City Civil Court and the suit be transferred to the learned Xth Bench, City Civil Court, Calcutta for disposal.

The learned Judge in-charge, VIth Bench, City Civil Court, Calcutta is directed to transmit the case record to the learned Xth Bench, City Civil Court immediately after receipt of copy of the order.

Learned Judge, Xth Bench, City Civil Court, Calcutta is requested to dispose of all the interlocutory applications and the suit as expeditiously as possible.

Let a copy of this order be communicated to both the learned two Benches immediately.

In view of the above, application being ALP/6/2021 stands disposed of.

No order as to costs.

(RABINDRANATH SAMANTA, J.)