

Item No. 17
18.07.2023
Court. No. 19
GB

C.O. 132 of 2023

Sreeja Khan (Dhar)
Vs.
Rakesh Khan

*Mr. Sourav Sen,
Mr. Shibasis Chatterjee*

...for the Petitioner.

*Mr. Indranil Roy,
Mr. Sunit Kr. Roy*

...for the Opposite Party.

This application arises out of a prayer for transfer of Matrimonial Suit No.461 of 2022, which is pending before the learned Additional District Judge Chandannagar to the Court of the learned District Judge, Murshidabad at Berhampore, District- Murshidabad.

The wife seeks transfer of the matrimonial suit on the ground that she has to undertake a long and tedious journey of more than 200 kms. each way, to contest the matrimonial suit at Chandannagar. It is further contended that she has to look after her minor child and leaving the child behind in order to attend the court proceeding, has become extremely difficult. On such ground, the wife seeks transfer of the matrimonial suit to the Court of the Learned District Judge, Murshidabad at Berhampore.

Mr. Roy, learned advocate for the opposite party/husband submits that the husband is a medical practitioner and he has to travel between Kolkata and Chandannagar in order to attend to his patients and run his chambers. Hence, it would be difficult for the husband to

travel all the way to Behrampore if the suit is transferred to the said court.

Having considered the convenience of the parties to the litigation, this Court is of the view that a place equidistant from the husband's place of residence and the wife's place of residence, would be ideal. Convenience of the wife is taken note of. The inconvenience that the husband would face if he has to travel 400kms. on a particular day to attend the suit, cannot also be over looked.

Thus, considering the convenience of both the parties, the Court directs the learned District Judge, Hooghly to transfer the Matrimonial Suit No.461 of 2022 which is pending before the learned Additional District Judge Chandannagar to the Court of the learned District Judge, Nadia. The learned District Judge, Nadia shall assign the matter to any court of competent jurisdiction at Krishnagar. The transferee court, after receiving the records, shall issue notices to the respective parties so that the matter can be adjudicated in accordance with law.

Accordingly, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)