

26.07.2023
Court No. 19
Item 137 & 138
CP

C.O. 2874 of 2022

Sumeet Biswas
Vs.
Nisha Dutta nee Biswas

with

C.O. 815 of 2023

Nisha Dutta @ Biswas

Vs.

Sumeet Biswas

Mr. Shibaji Kumar Das
Mr. Rupsa Sreeemani

....for the petitioner
in C.O.2874 of 2022.
& for the opposite party
In C.O. 815 of 2023

Mr. Abhinaba Dan

.....for the opposite party
in C.O. 2874 of 2022
& petitioner in C.O. 815 of 2023.

These two revisional applications are taken up together as the parties and the issues involved are the same.

Both the parties have filed respective matrimonial suits, before different courts. The wife has filed Matrimonial Suit No. 72 of 2022, which is pending before the learned Additional District Judge, Bishnupur and the husband has filed Matrimonial Suit No. 755 of 2022, which is pending before the

learned Additional District Judge, 3rd Court, Barrackpore.

Both the parties seek transfer of the suits. The wife seeks transfer to Bishnupur and the husband seeks transfer to a court near Barrackpur.

Having heard learned counsel for the respective parties, this court is of the view that the two suits should be tried analogously, as the prayers made therein, are similar.

A decree for nullity of marriage has been prayed for by the parties.

Thus, for convenience of the parties, the learned District Judge, Bakura is directed to transfer Matrimonial Suit No. 72 of 2022 to the court of the learned District Judge, Hooghly and the District Judge, 24 Parganas North at Barasat shall transfer Matrimonial Suit No. 755 of 2022 to the court of the learned District Judge, Hooghly.

The learned District Judge Hooghly, upon receipt of the records of both the suits, shall assign both the suits to any learned Additional District Judge at Arambagh.

The parties will be at liberty to approach the learned court below, for expeditious disposal of both the suits. The suits shall be tried analogously.

The said suit shall proceed in accordance with law, before the transferee court. The learned

transferee court shall issue notices upon the respective parties, upon receipt of the case records.

The revisional applications are accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)