

06.09.2023
Sl. No.166(DL)
srm

C.O. No. 1283 of 2023
Rimpa Sadhu nee Gain
Versus
Apurbalal Gain

Mr. Prantick Ghosh

...for the Petitioner/Wife.

Ms.

...for the Opposite Party/Husband.
(name not supplied)

The inconvenience of the wife, who has to travel a considerable distance leaving behind a minor female child with her ailing parents in order to contest the suit, is taken into consideration. This Court is of the view that the prayer for transfer of Matrimonial Suit No.391 of 2022, which is pending before the learned Additional District Judge, Fast Track Court at Kalyani, Nadia, to any suitable court of competent jurisdiction, is reasonable. However, the inconvenience that may be caused to the husband if the suit is transferred to Basirhat, is also taken note of.

Thus, for the ends of justice, a convenient place for both the parties would be appropriate so that the parties are able to contest the proceedings to the best of their ability.

Under such circumstances, the learned District Judge, Nadia, is directed to transfer the Matrimonial Suit No.391 of 2022 which is pending in the court of the learned Additional District Judge, Fast Track Court at Kalyani, Nadia to the court of the learned District Judge, North 24-Parganas at Barasat. The learned District Judge at Barasat, upon receipt of the records, may either proceed with the hearing of the suit himself, or assign the suit to any other court of competent jurisdiction at Barasat. The transferee court, upon receipt of the records, shall issue notices to the respective parties and thereafter proceed with the hearing of the matrimonial suit and make serious endeavour to dispose of the same within a year from the date of receipt of the records.

The revisional application is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)