

13.09.2023
Sl. No.324(ML)
srm

C.O. No. 1324 of 2023
With
CAN 1 of 2023
Anamika Sarkar nee Roy
Versus
Jibanesb Roy

Mr. Debashis Banerjee,
Ms. Shuvani Chakrabarty,
Mr. Rakesh Jana

...for the Petitioner.

Ms. Pritha Bhaumik

...for the Opposite Party.

This is an application for transfer of Matrimonial Suit No.1 of 2023, which is pending before the learned Additional District Judge, 17th Court, at Alipore, South 24-Parganas. The petitioner prays for transfer of the said suit to a court of competent jurisdiction at Barasat, North 24-Parganas.

The contention of the petitioner/wife is that she resides at Ashoknagar and the transfer would be very convenient as the travel would be relatively short.

The learned Advocate for the opposite party/husband submits that the husband is an employee under the West Bengal Police. He has a transferable job. Hence, the transfer of the suit should be to a particular court which would be

convenient for the husband to attend without causing much hindrance to his public duty as a policeman.

Having heard learned Counsel for the respective parties, this Court is of the view that a place convenient for both, in the facts stated hereinabove, would be a court of competent jurisdiction at Sealdah.

Under such circumstances, the learned District Judge at Alipore, South 24-Parganas is directed to withdraw Matrimonial Suit No.1 of 2023, which is pending before the learned Additional District Judge, 17th Court at Alipore, and assign the same to any court of competent jurisdiction in the premises of the Sealdah Court. The transferee court, upon receipt of the records, shall issue notices to the respective parties and thereafter proceed with the hearing of the suit and conclude the same expeditiously, in accordance with law.

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.)