

07.08.2024
(D/L-37)
Ct.-19
(Susanta)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 217 of 2023

Sudeshna Das Mandal
-Vs-
Arghya Mandal

Ms. Soma Chowdhury (Bandhu),
... For the Petitioner.

Affidavit-of-service filed on behalf of the applicant be kept with the record.

This is an application under Section 24 of the Code of Civil Procedure, none appears to oppose the application in spite of service.

The opposite party is the husband of the applicant; he has filed a suit for dissolution of marriage between the parties by a decree of divorce being *Matrimonial Suit No. 17 of 2020* which is pending before the Court of learned Additional District Judge at Islampur, District– Uttar Dinajpur.

The applicant is praying withdrawal of the said suit from the said Court and transfer of it to the Court of learned District Judge at Raiganj, District- Uttar Dinajpur, *inter alia* on the grounds that she is residing at Raiganj, as such, it would be inconvenient for her to travel a distance of about 115 km to Islampur to contest the said Matrimonial Suit, besides, another proceeding is pending between the parties before the competent Court at Raiganj.

The inconvenience pleaded by the applicant in attending the Court at Islampur to contest the said Matrimonial Suit cannot be ruled out; that apart, all the pending proceedings between the parties should be brought at one place to save unnecessary expenses and time; considering these aspects, the prayer of the applicant is allowed.

However, since no affidavit-in-opposition has been invited, the allegations made in the application are deemed to have been denied by the opposite party.

Let the *Matrimonial Suit No. 17 of 2020 (Arghya Mandal vs. Sudeshna Das Mandal)* be withdrawn from the Court of learned Additional District Judge at Islampur, District– Uttar Dinajpur and be transferred to the Court of learned **District Judge at Raiganj, District: Uttar Dinajpur**, who on receipt of the said suit, may either keep it in his own file or may transfer it to any Court competent to try and dispose of the said Matrimonial Suit under his Judgeship.

The said suit, after transfer, shall proceed from the stage at which it has already reached.

The applicant is directed to communicate this order to the opposite party.

The department is directed to communicate this order immediately to the Court of learned **Additional District Judge at Islampur, District: Uttar Dinajpur**, as well as to the Court of learned **District Judge at Raiganj, District: Uttar Dinajpur**.

C.O. 217 of 2023 is thus allowed without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)