

02.12.2024
rc/ct.no.34
Item No.11

CRR No. 588 of 2024

In the matter of : Arindam Ghosh

.....Petitioner

Mr. Malay Dhar
Mr. Biswajit Sarkar

...for the petitioner

None appears for the opposite parties despite service.

The petitioner seeks transfer of maintenance case being no. 478/M/2023 pending before the learned Judicial Magistrate, 1st Court, Malda to any Court of competent jurisdiction in the district of South 24 Parganas on the ground that the old and ailing parents of the petitioners whose evidence is required to be recorded in the maintenance case are not in a position to travel to Malda for the purpose. Also, the proceedings under Section 498A of the Indian Penal Code is pending before the Sealdah Court and matrimonial suit filed by the petitioner is pending before the Alipore Court.

In view of the physical condition of the parents of the petitioner as well as the fact that the other proceedings between the parties are pending before the Sealdah Court and Alipore Court respectively, the maintenance case being no. 478/M/2023 pending before the learned Judicial Magistrate, 1st Court, Malda be transferred to the learned Chief Judicial Magistrate, Alipore, South 24 Parganas for disposal.

The learned Judicial Magistrate, 1st Court, Malda shall transmit the case record to the learned Chief Judicial Magistrate, Alipore, South 24 Parganas within two weeks from the date of communication of this order. The learned Chief Judicial Magistrate, Alipore, South 24 Parganas shall deal with the matter himself or shall assign the same to any other judicial Magistrate within his jurisdiction for trial.

CRR No. 588 of 2024 is disposed of accordingly.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh,J)