

April 23, 2024
Sl. No.34
Court No.19
s.biswas

CO 870 of 2024

Samiran Sarkar
vs.
Jayeeta Sarkar nee Nandy

Mr. Soumik Dey
Mr. Subhomoy Paul
Ms. Tania Ghosh
Mr. Kazi Ardan Ali

... for the petitioner

The petitioner prays for transfer of Matrimonial Suit No.521 of 2022, which is pending before the learned Additional District Judge, 4th Court at Barasat.

The petitioner is the husband. He seeks transfer of the matrimonial suit to the court of the learned Principal Judge, Family Court at Kolkata. It is contended that both the parties are living in the same area i.e. around Armherst Street. The only ground for such transfer is that the parties reside in the same locality and the wife would not be caused any prejudice if the matrimonial suit is transferred to the Family Court at Kolkata.

The plaintiff is the dominus litis. The plaintiff has chosen the forum before which the matrimonial suit has been filed. The travel between Armherst Street and Barasat would hardly cause any hardship. The court is around 27 kilometres from

the place of residence of the petitioner. It is well-connected by bus, train, etc.

Under such circumstances, I do not find any reason to pass any order of transfer.

The application stands dismissed.

(Shampa Sarkar, J.)