

January 29, 2024
Sl. No.A 474-475
Court No.19
s.biswas

CO 1506 of 2023

Sri Rakesh Gupta

vs.

Smt. Mitali Gupta (Pandit)

WITH

CO 399 of 2021

Sri Rakesh Gupta

vs.

Smt. Mitali Gupta Pandit

Mr. Balaram Neogi

... for the petitioner/husband

Mr. Atis Kumar Biswas

Mr. Amit Singh

Ms. Piyu Mondal

... for the opposite party/wife

In re: CO 399 of 2021

As this court does not have any determination to hear out this matter, let the same be detagged and be placed before the learned Bench having determination.

In re: CO 1506 of 2023

The husband prays for transfer of the Matrimonial Suit No.438 of 2022, which is pending before the learned Additional District Judge, Fast Track, 3rd Court at Krishnagar, Nadia. The petitioner contends that the minor child is living with the petitioner and it is difficult for the petitioner to travel from Haridevpur which is South 24 Parganas, to Krishnagar, Nadia.

Learned advocate for the wife submits that she is a working lady and it is difficult for her to travel all

the way to Alipore, leaving her assignments. She is a nurse and has a responsible job.

Having considered the rival contentions of the parties, the court is of the view that convenience of both the parties should be looked into.

Accordingly, the application for transfer of the matrimonial suit is disposed of with a direction upon the learned District Judge, Nadia to transfer the records of Matrimonial Suit No.438 of 2022 to the court of the learned District Judge, Hooghly. The learned District Judge, Hooghly, shall either hear the suit himself or assign the matter to a court of competent jurisdiction at Chinsurah, on an urgent basis. The learned transferee Judge, upon receipt of records, shall issue notices to the parties and proceed with the adjudication.

The application is disposed of.

All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)