

03.04.2024
Sl. No.726(ML)
srm

C.O. No. 1525 of 2023
With
CAN 1 of 2024
Smt. Sweety Dokania
Versus
Sri Ankit Dokania

Mr. Sougata Mitra,
Mr. Rameshwar Sinha,
Mr. Nikhil Kumar Gupta,
Ms. Soma Chakraborty,
Ms. Debanjana Sen

...for the Petitioner.

Mrs. Anindita Auddy (Das),
Ms. Ananya Mondal

...for the Opposite Party.

The application has been filed by the wife praying for transfer of Matrimonial Suit No.789 of 2023, which is pending before the learned District Judge at Barasat, North 24-Parganas, to the court of the learned District Judge at Purulia.

It is contended that the petitioner has to travel 400 km. each way in order to reach the court.

The learned Advocate for the husband has filed an affidavit-in-opposition, *inter alia*, stating the difficulties of having to travel such long distance.

Upon perusing the affidavit-in-opposition, it appears that the husband was suffering from some allergy and urinary infection.

In my opinion, the ailment is not so serious that he is unable to travel to a place which will be closer to the wife's residence. The convenience of the wife should take a priority in such a situation and travelling by local train for around 5 to 6 hours to attend the court at Barasat from Purulia is highly inconvenient for the wife for various reasons.

Under such circumstances, this Court deems it fit to transfer Matrimonial Suit No.789 of 2023, to the court of the learned District Judge at Asansol, Paschim Bardhaman. The learned District Judge at Barasat, North 24-Parganas, shall send the records with regard to Matrimonial Suit No.789 of 2023, to the court of the learned District Judge at Asansol, Paschim Bardhaman. Upon receipt of records, the transferee court shall issue notice to the parties and proceed expeditiously with the disposal of the suit.

The application is, thus, disposed of.

In view of disposal of the main application, the connected application has become infructuous and the same is disposed of accordingly.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)