

28.06.2024
(D/L-28)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 1924 of 2024

Smt. Indra Devi & Ors.

-Vs-

Messrs. Vinkay Private Limited

Mr. Tarak Nath Halder,
Mr. Sagnik Chatterjee,

... For the Petitioners.

The report, as directed by the order dated June 19, 2024, of the learned Civil Judge (Junior Division) at Bidhannagar, District: 24 Parganas (North) is placed before me; Perused the report, let it be kept with the record.

This is an application under Section 24 of the Code of Civil Procedure.

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

None appears on behalf of the opposite party in spite of service.

The petitioners are the plaintiffs of Title Suit No. 333 of 1983 pending before the 3rd Court of learned Civil Judge (Junior Division) at Bidhannagar, District: 24 Parganas (North).

The petitioners are praying withdrawal of the said suit from the Court where it is now pending and transfer of it to the Additional Court of learned Civil Judge (Junior Division) at Sealdah, District: 24 Parganas (South) on the ground that by virtue of the notification

of the Government of West Bengal, Judicial Department bearing no. 271-JL dated August 12, 2016 the Additional Court of learned Civil Judge (Junior Division) at Sealdah, District: 24 Parganas (South) has become the competent Court to try and dispose of the said suit.

The suit was originally filed in the 3rd Court of learned Civil Judge (Junior Division) at Sealdah, District: 24 Parganas (South) but, in terms of the notification of the Judicial Department dated August 07, 2014, it was withdrawn from the said Court and was transferred to the Court of learned Civil Judge (Junior Division) at Bidhannagar, District: 24 Parganas (North).

However, by a subsequent notification dated August 12, 2016 which was published in the Kolkata Gazette on September 01, 2016, the Additional Court of learned Civil Judge (Junior Division) at Sealdah, District: 24 Parganas (South) has become the competent Court to entertain the suits in respect of the immovable properties situated within the local limits of the jurisdiction of Cossipore Police Station.

The suit property is situated within the jurisdiction of Cossipore Police Station, as such, in view of the said notification dated August 12, 2016, the Additional Court of learned Civil Judge (Junior Division) at Sealdah, District: 24 Parganas (South) has become the competent Court to try and dispose of the said suit.

Therefore, the Title Suit no. 333 of 1983 be withdrawn from the docket of the Court of learned Civil Judge (Junior Division) at Bidhannagar, District: 24

Parganas (North) and be transferred to the Additional Court of learned Civil Judge (Junior Division) at Sealdah, District: 24 Parganas (South).

The learned Civil Judge (Junior Division) at Bidhannagar, District: 24 Parganas (North) shall take steps for transmission of the records of the said suit to the Court where it has been directed to be transferred.

On transfer, the suit shall proceed from the stage at which it has already reached. The suit is pending for a long period of time, therefore the trial of the suit must be expedited.

To expedite the transmission of records of the said suit, the Department is directed to communicate the copy of this order to the learned District Judge, District: 24 Parganas (South) at Alipore and the learned District Judge, District: 24 Parganas (North) at Barasat.

C.O. 1924 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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.)