

May 1, 2024  
Sl. No.A 737  
Court No.19  
s.biswas

CO 2190 of 2023

*Onkita Das*  
*vs.*  
*Suman Roy*

Mr. Mrityunjoy Chatterjee

... for the petitioner

Mr. Rajnil Mukherjee  
Ms. Debalina Sarkar  
Ms. Satabdi Dey  
Mr. Subham Das

... for the opposite party

The petitioner prays for transfer of the Matrimonial Suit No.1426 of 2022, which is pending before the learned Additional District Judge, 5<sup>th</sup> Court at Alipore, South 24 Parganas, to the court of the learned Family Court at Kolkata.

Learned advocate for the opposite party/husband submits that he does not have any difficulty if the suit is transferred to the Family Court at Kolkata.

Accordingly, the application is allowed. The only ground which has impressed this court to pass this order is that both the parties reside close to the Family Court at Kolkata and there is already a proceeding pending, at Kolkata.

Under such circumstances, this court finds that justice would be subserved, if the suit is transferred to Court of the Principal Judge Family Court at Kolkata. The learned District Judge, South 24 Parganas is directed to withdraw the Matrimonial

Suit No.1426 of 2022 from the court of learned Additional District Judge, 5<sup>th</sup> Court at Alipore and transfer the same to the court of the learned Principal Judge, Family Court at Kolkata. The learned Principal Judge, Family Court at Kolkata will decide the suit on its own merits, upon receipt of the records. The learned transferee Judge, upon receipt of records, shall issue notices to the parties and proceed with the adjudication.

The application stands disposed of accordingly.

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

**(Shampa Sarkar, J.)**