

01.05.2024
Sl. No.739(ML)
srm

C.O. No. 2225 of 2023

With

CAN 1 of 2023

Smt. Sreelekha Roy @ Sreelekha Das

Versus

Sri Bappaditya Roy

Mr. Noni Gopal Chakraborty

...for the Petitioner.

Mr. Arup Krishna Das

...for the Opposite Party.

1. Affidavit of service is taken on record.
2. The petitioner wife seeks transfer of Matrimonial Suit No.74 of 2023, which is pending before the learned Additional District Judge, 2nd Court, Paschim Bardhaman at Asansol, to a competent court at Chinsurah, Hooghly.
3. The wife resides near Bhadreswar, Hooghly. The husband resides at Neamatpur, Police Station-Kulti, Paschim Bardhaman.
4. It appears that the wife has a difficulty in travelling to Asansol as she has to undertake a journey of 300 kms. on a single day. It is also difficult for her to stay overnight at Asansol. On the other hand, the husband cannot access Chinsurah directly by proper surface communication.

However, travel from Bhadreswar to Howrah for the wife is convenient by train and it takes around an hour. The husband will also be able to access Howrah Court more easily because there are various superfast trains.

5. Under such circumstances, taking into consideration the convenience of the parties, this Court is of the view that a competent court at Howrah should dispose of the matrimonial suit.
6. Accordingly, the learned District Judge, Paschim Bardhaman at Asansol, is directed to withdraw the records of Matrimonial Suit No.74 of 2023 from the docket of the learned Additional District Judge, 2nd Court, Paschim Bardhaman at Asansol and transmit the same to the learned District Judge at Howrah. The learned District Judge, Howrah shall either hear the matrimonial suit herself or assign the same to any court of competent jurisdiction.
7. The transferee court, upon receipt of records, shall issue notices to the parties and thereafter proceed with the disposal of the suit expeditiously.
8. The application is, thus, disposed of.
9. In view of the above, the application being CAN 1 of 2023 is also disposed of.
10. There shall be no order as to costs.

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

(Shampa Sarkar, J.)