

11.07.2024

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jb.

jdt

CRR 3004 of 2023

In Re : Gopal Paul

... Petitioner.

Gopal Paul

... Petitioner in person

Affidavit of service filed on behalf of the petitioner is taken on record.

None appears for the opposite party despite service.

The petitioner seeks transfer of the maintenance case filed by the minor opposite party who is his son represented by his mother being Misc. Case no. 633 of 2022 from the Court of the learned Chief Judicial Magistrate, Paschim Bardhaman at Asansol to the Court of the learned Chief Judicial Magistrate, Purba Bardhaman for disposal.

The petitioner appearing in person submits that he has been assaulted by his wife and members of his matrimonial home and was driven out of his house for which he lodged written complaint before the Bardhaman police station and was also treated for the injuries sustained by him. According to the petitioner, his wife and her family are influential persons of Asansol and he apprehends further assault and obstruction if the maintenance case is allowed to continue before the Asansol Court.

The petitioner takes this Court to an order passed by a co-ordinate Bench of this Court in RVW 100 of 2023 in connection with C.O. 3908 of 2022 on 19th July, 2023 wherein the

matrimonial suit which was earlier transferred to the learned District Judge, Paschim Bardhaman at Asansol was directed to be retransferred to the learned District Judge, Purba Bardhaman upon similar submission made by the petitioner therein.

Upon consideration of the submission made by the petitioner as well as material on record, the revisional application is allowed.

The Misc. Case no. 633 of 2022 pending before the learned Chief Judicial Magistrate, Paschim Bardhaman at Asansol be transferred to the learned Chief Judicial Magistrate, Purba Bardhaman for disposal.

Learned Chief Judicial Magistrate, Paschim Bardhaman at Asansol is directed to send the case record of Misc. Case no. 633 of 2022 to the Court of the learned Chief Judicial Magistrate, Purba Bardhaman for disposal within two weeks from the date of communication of this order.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)