

03.10.2024
Sl. No.39
akd

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C. R. R. 3565 of 2024

In Re: ***Susanta Das***

... .. Petitioner

Ms. Madhumita Patra

... .. for the petitioner

1. Petitioner prays for transfer of maintenance proceedings pending before the court of learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24-Parganas to the court of learned Additional Chief Judicial Magistrate, Sealdah.
2. It is contended a criminal case alleging cruelty is pending before the Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas. Maintenance proceeding is to provide immediate monetary succor to an estranged wife. In view of its scope and purpose, opposite party no.2-wife is entitled to institute and prosecute the proceeding before the nearest judicial authority as per her convenience.
3. In such view of the matter, it would cause hardship to opposite party no.2-wife in the event the proceeding is transferred to the court of the learned Additional Chief Judicial Magistrate, Sealdah or to a court of competent jurisdiction at Basirhat.
4. Hence, I am not inclined to allow the prayer for transfer.
5. With the aforesaid observations, CRR 3565 of 2024 is disposed of.
6. Photostat certified copy of this order, if applied for, be given to the petitioner on usual undertaking.

(Joymalya Bagchi, J.)