

29.07.2024
(D/L-51)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 3125 of 2023

Ankita Bhattacharjee

-Vs-

Mithun Chakraborty

Mr. Saptarshi Chattopadhyay,

... For the Petitioner.

Ms. Shohini Chakraborty,

Mr. Prajaaini Das,

.... For the Opposite Party.

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

The parties are husband and wife. This is the wife's application under Section 24 of the Code of Civil Procedure for withdrawal of the Matrimonial Suit filed by her husband, the opposite party herein from the Court of learned Additional District Judge, Durgapur, District: Paschim Bardhaman and transfer of it to the Court of learned Additional District Judge, Kalyani, District: Nadia, *inter alia* on the ground that she is a resident of Chakdah, District: Nadia, as such, it would be inconvenient for her to travel to Durgapur to contest the said matrimonial suit.

Ms. Shohini Chakraborty, appears on behalf of the husband, the opposite party herein, and submits that her client has no objection if the suit is transfer to the Court as prayed for, but the disposal of the suit be expedited. She files written instruction of her client to the said effect; let it be kept with the record.

In view of such stand of the opposite party, let the Matrimonial Suit no. 332 of 2023 be withdrawn from the Court of learned Additional District Judge at Durgapur,

District: Paschim Bardhaman and be transferred to any Court of learned Additional District Judge at Kalyani, District: Nadia.

The records of the said Matrimonial suit be transferred first to the Court of the learned District Judge, Nadia who on receipt shall send it to any Court of Additional District Judge at Kalyani for trial and disposal of the said suit, which shall then proceed from the stage where it has already reached.

The parties are directed to appear before the learned District Judge, Nadia on **August 12, 2024** with a copy of this order for fixing a date of their appearance before the Court where the said suit would be transferred for trial and disposal.

The learned Additional District Judge at Durgapur, District: Paschim Bardhaman shall expedite the transfer of the records of the said suit.

The Department is directed to communicate this order to the Court of learned District Judge at Nadia and to the Court of learned Additional District Judge, Durgapur, District: Paschim Bardhaman.

C.O. 3125 of 2023 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.)