

12.03.2024
Item No. 34
PG
Ct. No.7

C.O. 3481 of 2023
Smt. Anushri Dutta alias Anushree Dutta
Vs.
Sri Subhrajit Dutta

Mr. Sumon Chakraborty.....for the petitioner

1. Affidavit of service filed in Court today is taken on record. In spite of service none appears to oppose this application.
2. This is an application under section 24 of the Code of Civil Procedure at the instance of the wife praying for transfer of the Matrimonial Suit No. 948 of 2023 pending before the learned District Judge, Howrah to the learned Additional District Judge, Arambagh, Hooghly.
3. It has been specifically stated in the application under section 24 of the Code of Civil Procedure that the minor child, at present aged about 13 years is staying with the petitioner and it is very difficult for the petitioner to travel to Howrah for contesting the matrimonial suit, which is pending before the Court of the learned District Judge at Howrah.
4. From the pleadings in the application under section 13 of the Hindu Marriage Act, which is registered as Matrimonial Suit No. 948 of 2023, it appears that the

husband is a resident of Village & Post Office-Kamarpukur under Police Station-Goghat, District-Hooghly. The wife/petitioner herein also resides within the jurisdiction of Goghat Police Station.

5. Since both the parties are residing within the jurisdiction of Goghat Police Station, which falls within the jurisdiction of the Additional District Judge, Arambagh, this Court is of the considered view that it will be convenient for both the parties to pursue/contest the matrimonial suit before the learned Additional District Judge, Arambagh, District-Hooghly.
6. In view thereof, the Matrimonial Suit No. 948 of 2023 pending before the learned District Judge, Howrah stands transferred to the learned Additional District Judge, Arambagh, District- Hooghly.
7. The learned District Judge, Howrah is directed to remit the records pertaining to Matrimonial Suit No. 948 of 2023 to the transferee Court forthwith. Upon such transfer, the transferee Court shall proceed with the matrimonial suit in accordance with law.
8. With the above observations/directions C.O. 3481 of 2023 stands allowed.
9. Registry is directed to communicate this order to the learned District Judge, Howrah and to the transferee Court forthwith.
10. There shall be however, no order as to costs.

11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)