

S/L 3
01.8.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 4139 of 2023

Firoja Khan Dey @ Minu
Vs.
Sri Krishanu Dey

Mr. Mukteswar Maity

...for the Petitioner.

Mr. Debabrata Ray
Mr. Souvik Mondal

...for the Opposite Party.

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

The matter though has been brought to the list for extension of interim order but by the consent of the parties, the application is taken up for final disposal.

This is an application under Section 24 of the Code of Civil Procedure.

The applicant has prayed for withdrawal of the *Title Suit No.520 of 2023*, filed by the opposite party, from the 4th Court of learned Civil Judge (Junior Division), District: Purba Bardhaman and transfer of it to any court competent to try and dispose of the said suit at Baruipur, District 24 Parganas (South) on the ground that she is a resident of Narendrapur, as such it would be difficult for her to travel to Purba Bardhaman to contest the said suit.

Learned advocate for the opposite party submits that his client is a resident of Kalipahari, District Purba Bardhaman as such he suggests that instead of Baruipur, if the said suit is transferred to any competent court at Alipore, District. 24 Parganas (South), he would be facing less inconvenience in conducting the suit.

The learned advocate for the applicant accepts the said suggestion.

In view thereof, let the *Title Suit No.520 of 2023* be withdrawn from the 4th Court of learned Civil Judge (Junior Division), District: Purba Bardhaman and be transferred to the court of learned District Judge at Alipore, District 24 Parganas (South), who on receipt of the records of the said suit, shall transfer the same to any Court of learned Civil Judge (Junior Division), under his Judgeship competent to try and dispose of the said suit at Alipore. The said suit, after transfer, shall proceed from the stage at which it has already reached.

Parties, for further directions of the learned District Judge, District: 24 Parganas (South) at Alipore, are directed to appear before the said Court with the website copy of this order **on August 19, 2024.**

The Department is directed to communicate this order to the 4th Court of learned Civil Judge (Junior Division), District: Purba Bardhaman as well as to the Court of learned District Judge, District: 24 Parganas (South) at Alipore.

Since no affidavit has been invited, allegations made in the application are deemed to have been denied by the opposite party.

CO 4139 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 of all requisite formalities.

(Biswajit Basu, J.)