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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction**

**C.O. 38 of 2024
In re: Smt. Shrabani Roy**

**Re: Application under Section 24 of the Code of Civil
Procedure.**

Mr. Kalipada Das
... For the Petitioner

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 Matrimonial
Suit no. 232/23 filed by the opposite party under
Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955
which is pending before the learned District Judge,
Coochbehar to the learned District Judge,
Alipurduar. The petitioner is the wife of the opposite
party and has filed proceedings under the Protection
of Women from Domestic Violence Act and under
Section 125 of the Code of Criminal Procedure
which are pending before the Alipurduar Court.

Learned counsel for the petitioner submits
that the petitioner is being continuously threatened
by the opposite party to withdraw the cases when
she is appearing before the learned District Judge,
Coochbehar in the Matrimonial Suit. The opposite

party is insisting on the petitioner withdrawing the two proceedings before the Alipurduar Court. Learned counsel further submits that the opposite party being the employee of the West Bengal Police is an influential person and the petitioner's security is at stake at Coochbehar.

Upon consideration of the submission made on behalf of the petitioner, this Court is inclined to hold that the petitioner has been able to make out sufficient grounds for transfer of the Matrimonial Suit from Coochbehar to Alipurduar.

The opposite party has chosen not to contest the matter despite service of notice.

In view of the above, the application being C.O. 38 of 2024 is allowed.

The Matrimonial Suit being 232 of 2023 pending before the learned District Judge, Coochbehar is withdrawn from the said Court and transferred to the learned District Judge, Alipurduar. Learned District Judge, Alipurduar is requested to try the suit either himself or transfer the same to any appropriate Court having jurisdiction.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J)

