

Court No. 6
(265719)

18.03.2025
(A 114)
(S. Banerjee)

CO 557 of 2025

Priyanka Ghosh Nag
Vs.
Sudipta Nag

Mr. Prabir Majumder
Mr. Snehansu Majumder
Mr. Debraj Shil

...for the petitioner

Affidavit of service filed in Court today, is taken
on record.

Despite service, none appears to oppose the
prayer for transfer of the matrimonial suit.

This application under Section 24 of the Code of
Civil Procedure is at the instance of the wife praying
for transfer of MAT Suit No. 221 of 2024 presently
pending before the learned District Judge, Paschim
Medinipur to the Court of the learned District Judge,
Nadia at Krishnagar.

It has been stated in the said application that
the petitioner has to travel a distance of about 265
kilometers in order to attend the court proceedings at
Paschim Medinipur from her residence. That apart, it
has been specifically stated in the said application
that a proceeding under Section 125 of the Criminal

Procedure Code, being Misc. Case No. 511 of 2021 is pending before the learned Chief Judicial Magistrate, Nadia at Krishnagar which has been subsequently transferred to the Court of the learned Judicial Magistrate, 4th Court Krishnagar, Nadia for final disposal. A proceeding under the Protection of Women from Domestic Violence Act, 2005, being Misc. Criminal Case No. 499 of 2022, is pending before the learned Judicial Magistrate, 4th Court at Krishnagar, Nadia. The petitioner also filed an application under Section 9 of the Hindu Marriage Act, being Matrimonial Suit No. 70 of 2022 and the same is pending before the learned Additional District Judge, Fast Track Court No. 2 at Nadia.

In view of the fact that several court proceedings, including a proceeding under Section 9 of the Hindu Marriage Act being Matrimonial Suit No. 70 of 2022, are pending and it has been submitted by the learned advocate for the petitioner that the husband/opposite party herein is contesting a proceeding at Nadia, this Court is of the considered view that Matrimonial Suit No. 221 of 2024, presently pending before the learned District Judge, Paschim Medinipur, should be transferred to the Court of the learned District Judge, Nadia at Krishnagar.

For the reasons as aforesaid, the application under Section 24 of the Code of Civil Procedure stands allowed.

There shall be an order for withdrawal of the Matrimonial Suit No. 221 of 2024 from the file of the learned District Judge, Paschim Medinipur and the same shall be transferred to the Court of the learned District Judge, Nadia at Krishnagar.

The learned District Judge, Paschim Medinipur is directed to transmit the records of Matrimonial Suit No. 221 of 2024 immediately after communication of this order to the Court of the learned District Judge, Nadia at Krishnagar.

The learned District Judge, Nadia at Krishnagar shall, upon receipt of the records in Matrimonial Suit No. 221 of 2024, shall assign the matrimonial suit to any of the learned Additional District Judges after taking into consideration the fact that a proceeding under Section 9 of the Hindu Marriage Act, 1955 is presently pending before the learned Additional District Judge, Fast Track 2nd Court at Nadia.

(Hiranmay Bhattacharyya, J.)