

01.07.2025

Court No.25

Sl. No.34
Mujahid

CO 1855 of 2024

Smt. Susmita Gayen (Das)
Vs.
Sri Biswajit Gayen

Mr. Tarak Nath Halder,
Mr. Sagnik Chatterjee

...for the petitioner

- 1.** Affidavit of service has been filed. Let it be taken on record.
- 2.** None appears for the opposite party. Perusal of the record indicates that earlier also the opposite party will duly serve. However, despite service the opposite party has not chosen to appear.
- 3.** Present petition has been filed for transfer of Matrimonial Suit No.112 of 2022 from the court of learned Additional District and Sessions Judge, First Court at Kakdwip, District – South 24 Parganas from the court of learned District Judge at Chinsurah, District- Hooghly.
- 4.** Learned counsel for the petitioner submits that the petitioner is residing at in the jurisdiction of police station Singur, District Hooghly and for travelling from Singur to Kakdwip which takes around 7 hours. Learned counsel submits that petitioner has also a minor daughter and she is sole

caregiver. Learned counsel submits that opposite party/husband is already contesting the G.R. Case No.2054 of 2023 under Section 498A/406 pending before learned Additional Chief Judicial Magistrate, Chandernagore Court, District Hooghly and M.C. No.349 of 2023 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 before learned Judicial Magistrate, Second Court at Chandernagore, District Hooghly. Learned counsel submits that the maintenance case under Section 124 of Cr.P.C. bearing M.C. No.340 of 2023 is also pending before learned Judicial Magistrate, First Class, Second Court at Chandernagore, District Hooghly. Learned counsel submits that Chandernagore is a sub-divisional court within the jurisdiction of learned District Judge, Chinsurah, Hooghly. The opposite party has chosen not to appear and he is already contesting other proceeding under the jurisdiction of learned District Judge, Hooghly.

5. The court considers that in fitness of thing and interest of justice, Matrimonial Suit No.112 of 2022 be transferred from the court of learned Additional District and Sessions Judge, First Court at Kakdwip, District South 24 Parganas to the court of learned District Judge at Chinsurah, District Hooghly. Copy of the order be sent to the transferee court. copy of the order be also served upon the

opposite party and learned advocate representing the opposite party before the learned trial court.

6. Petition stands disposed of.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)