

25.04.2025
DL. 16

Court No. 652
sg

CO 2973 of 2024

Ruma Tabassum & Anr.
Vs.
Md. Sahjad

Ms. Anita Khetri
....for the petitioner.

Present petition has been filed for transfer of Title Suit No. 643 of 2023 pending before the learned Civil Judge (Junior Division), 3rd Court at Asansol to the learned Civil Judge (Junior Division) Court at Sadar Hooghly at Chinsurah. Learned Counsel submits petitioner is very poor and unable to undertake the travel expenses to attend the suit filed by the opposite party.

Pursuant to the petition filed the notice order was issued vide order dated 26th September, 2024. Notice was duly served and affidavit of service was taken on record. However, respondent has chosen not to appear and contest the present application.

It is settled proposition that if a prayer for transfer of a suit between the husband and wife, the convenience of wife is to be considered except in the exceptional cases where such request is not bona fide. The Court considers that there is nothing

on record to suggest that the present request is not bona fide.

In the circumstances, Title Suit No. 643 of 2023 is withdrawn from the Court of learned Civil Judge (Junior Division), 3rd Court at Asansol, Paschim Burdwan and assign to the Court of Learned District Judge at Sadar Hooghly, Chinsurah.

The transferor Court is directed to send record to the transferee Court. Copy of the order be sent to the transferor Court to the transferee Court on 10th June, 2025.

Accordingly. C.O. 2973 of 2024 stands disposed of.

Urgent Photostat certified copy, if applied for, be supplied to the parties upon compliance of all legal formalities.

(Dinesh Kumar Sharma, J.)