

S/L16
06.11.2025
Court No.01
AJ

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

C.O. 167 of 2025
Smt. Bharati Dey & Ors.
Vs.
Kundan Prasad Jaiswal & Ors.

Mr. Subhasish Misra,
Mr. Satyajit Paul,
Mr. Rounak Ghosh.
... for the Petitioners.

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

The petitioners are the claimants in MACC 38 of 2021 pending before the 3rd Court of the learned Additional District Judge, the Motor Accident Claims Tribunal at Cooch Behar.

The petitioners are pursuing another claim case being MACC Case No. 254 of 2020, pending before the 1st Fast Track Court of the Motor Accident Claims Tribunal at Jalpaiguri on the selfsame accident.

The petitioners are praying that the claim case pending before the learned Tribunal at Jalpaiguri be transferred before the learned Tribunal at Cooch Behar where the other claim case is pending for analogous hearing and disposal of both the cases.

Pursing selfsame claim before two separate forums is unnecessary, therefore, instead of transferring the claim case pending before the learned Tribunal at Jalpaiguri, liberty is granted to the petitioners to withdraw the same and to pursue the claim case pending before the learned Tribunal at Cooch Behar only.

C.O. 167 of 2025 is disposed of with the above observations 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.)