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C.O. 3944 of 2024
With
CRAN 1 of 2025

Moumita Nag
Vs.
Anirban Nag

Mr. Md. Masudur Rahaman Paik
...for the petitioner

Mr. Rabindra Kumar Mitra
Mr. Sourjya Das
...for the opposite party

In this application, the petitioner has prayed for transfer of the matrimonial suit being no. 1862 of 2023 pending before the court of learned Additional District Judge, Fast Track Court-III, Barrackpore to the court of learned District Judge, Alipore.

Learned counsel for the petitioner in support of her prayer for transfer, submits that the petitioner being a helpless lady, is facing much difficulties in attending the court at Barrackpore alone since the petitioner has no accommodation in an around Barrackpore. The court at Barrackpore situates at a distance of 35 kilometres from her matrimonial home. He further submits that the petitioner has little earnings but that is insufficient to maintain herself.

Learned counsel for the opposite party raised objection contending that mere inconvenience in attending the court cannot be a valid ground for transfer

and as such, the prayer for transfer is frivolous and is liable to be rejected.

Having heard learned counsel for both the parties, I find that if the case is transferred to the court of learned Additional District Judge, Sealdah, neither party will have much cause to prejudice.

In view of above, Learned District Judge, North 24 parganas, Barasat is hereby directed to withdraw the Matrimonial suit being no. 1862 of 2023 pending before the court of learned Additional District Judge, Fast Track Court-III, Barrackpore and to transmit the same to the court of learned District Judge, Alipore within a period of three weeks from the date of communication of the order who in turn, will send it to the court of learned Additional District Judge, Sealdah within a period of three weeks thereafter.

The transferee court shall serve fresh notice upon both the parties intimating the next date of hearing before proceeding further with the aforesaid suit and learned transferee court will continue the proceeding from the stage where it reached till date.

The department is directed to send a copy of the order to the learned District Judge, North 24 parganas and learned District Judge, Alipore, South 24 Parganas immediately for necessary compliance.

Accordingly, C.O. 3944 of 2024 is disposed of. Connected application being CRAN 1 of 2025 is also disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)