

(38)
23.09.2021
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)

CO No. 1491 of 2020

Mousumi Ganguly
-versus-
Gourav Ganguly

Mr. Abhinaba Dan,
Mr. Nitish Samanta,

... for the petitioner.

The wife/respondent in the Matrimonial Suit No. 557 of 2020 filed by the husband/opposite party for dissolution of marriage between the parties by a decree of divorce is the petitioner of the present application under Section 24 of the Code of Civil Procedure.

The said matrimonial suit is pending before the learned Additional District Judge at Paschim Medinipur, District-Paschim Medinipur.

The petitioner by the present application is praying withdrawal of the said suit from the Court where it is now pending and transfer of it to the Court of the learned District Judge, District-Bankura, inter alia, on the grounds that she is residing at Bankura with her minor daughter, as such, it would be very difficult for her to travel to Paschim Medinipur and contest the said matrimonial suit.

That apart, a maintenance proceeding initiated by the petitioner under Section 125 of the Code of Criminal Procedure is pending before the Court of learned Chief Judicial Magistrate at Bankura.

A prima facie case for withdrawal and transfer of the said matrimonial suit has been made out.

The petitioner is directed to serve copy of the application along with a copy of this order upon the opposite party by speed post with acknowledgement due that the matter will appear in the list two weeks after ensuing Puja vacation of the Court under the heading '**Application under Section 24 CPC**', to that effect, the petitioner to file affidavit-of-service on the next date of hearing.

There shall be stay of all further proceedings of the Matrimonial Suit No. 557 of 2020 (***Sri Gourab Ganguly vs. Smt. Mousumi Ganguly (Mishra)***) pending before the Court of learned Additional District Judge at Paschim Medinipur, District-Paschim Medinipur till the end of the month of December, 2021 or until further orders, whichever is earlier.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)