

01.12.2021  
Item No.11  
Ct. No.7  
CHC

**C.O. 404 of 2021  
(Via Video Conference)**

**Suwendu Adhikari  
Vs.  
Abhishek Banerjee**

Mr. Aniruddha Chatterjee,  
Mr. Billwadal Bhattacharyya,  
Mr. Srijib Chakraborty,  
Mr. Debanik Banerjee,  
Mr. Sayak Chakraborti,  
Mr. Anish Kumar Mukherjee,  
Mr. Amrit Sinha  
...for the petitioner

Mr. Anirban Ray,  
Mr. Sanjay Basu,  
Mr. Jayanta Sengupta,  
Mr. Piyush Agrawal,  
Ms. Utsha Dasgupta  
...for the opposite party

This is an application under Section 24 of the Code of Civil Procedure seeking transfer of Title Suit No.52 of 2021, now pending in the court of learned Civil Judge (Senior Division), 1<sup>st</sup> Additional Court at Burdwan to the court of learned Civil Judge (Senior Division) at Contai, Purba Medinipur.

Learned advocate for both the parties are ad idem on the issue that the pending suit is at the preliminary stage pertaining to the service of summons.

Mr. Chatterjee, in all his fairness candidly offers a suggestion that both the parties to this case being found to remain busy in their respective field, and upon focussing such tight schedule of the parties, proposes for transferring the case from the court of learned Civil Judge (Senior Division), 1<sup>st</sup> Additional Court at Burdwan to the court of learned Chief Judge, City Civil Court at Calcutta, which is not opposed by Mr. Ray, learned advocate representing the petitioner.

When Mr. Ray, learned advocate appearing for the opposite party agrees to the proposal offered by Mr. Chatterjee, the Court finds no wrong to accept the same.

Accordingly, the transfer application is disposed of, directing the learned Civil Judge (Senior Division), 1<sup>st</sup> Additional Court, at Burdwan to transfer the Title Suit No.52 of 2021, to the court of learned Chief Judge, City Civil Court, at Calcutta within a fortnight from the date of communication of this order.

Both the parties are accordingly directed to ensure their respective appearance before the transferee court on 14<sup>th</sup> January, 2022.

It is, however, clarified that this order is passed without going into the merits of the case and without prejudice to the rights and contentions of the parties.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as

expeditiously as possible on compliance of all necessary formalities.

**(Subhasis Dasgupta, J.)**