

S/L 14
21.01.2021
Court. No. 19
GB

C.O. 111 of 2021

Dr. Dipayan Jana
Vs.
Sairi Tithi Misra

(Through Video Conference)

*Mr. Joydip Banerjee,
Mr. Abhishek Banerjee,
Mr. Shatanik Ghosh,
Ms. Parna Roy Choudhury.*

...for the Petitioner.

This revisional application has been filed for expeditious disposal of the Matrimonial Suit No.72 of 2016, pending before the learned Additional District Judge, 10th Court at Alipore.

The said suit was decreed on December 20, 2017. Thereafter an application for setting aside the ex parte decree was filed under Order IX, Rule 13 of the Code of Civil Procedure, which was registered as Misc. Case No. 47 of 2018. The said misc. case was allowed and the ex parte decree dated December 20, 2017 was vacated. The Matrimonial Suit No.72 of 2016 was restored to its original file and number. The suit was fixed for framing of issues. On March 7, 2020 issues were framed. Thereafter, the suit could not be proceeded with due the suspension of work during the pandemic situation.

The petitioner prays that an order be passed directing the learned court below to dispose of the Matrimonial Suit

No.72 of 2016 expeditiously. As issues have been framed and trial has begun, for the ends of justice this Court finds that justice would be sub-served if the learned court below is directed to dispose of the Matrimonial Suit No. 72 of 2016 as expeditiously as possible, preferably within a period of six months from date of communication of this order.

This Court has not gone into the merits of the claims and counter-claims of the parties and the learned court below will proceed independently and in accordance with law without being influenced by any observations made hereinabove.

The petitioner is directed to serve a copy of this revisional application along with a server copy of this order upon the opposite party within a week from date.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)