

27.01.2021
Sl. No. 7
srm

C.O. No. 129 of 2021
Sri Sandip Chowdhury
Vs.
Smt. Sampa Chowdhury

Mr. Sayan Sinha,
Mr. Mainak Swarnokar

...for the Petitioner.

The petitioner is the husband in Matrimonial Suit No.779 of 2018 pending before the learned Additional District Judge at Howrah.

It appears from the records that the cross-examination of PW1 was going on and thereafter the suit did not progress. Subsequently, the wife filed an application for maintenance *pendente lite* under Section 36 of the Special Marriage Act being Misc. Case No.56 of 2019.

Under such circumstances, without going into the merits of the case, the revisional application is disposed of with a direction upon the learned Court below to dispose of the Misc. Case No.56 of 2019 as expeditiously as possible preferably within a period of two months from the next date fixed upon affording an opportunity to the concerned parties to contest the same.

It is made clear that after disposal of the Misc. Case and in case the husband complies with the order, that may be

passed in the Misc. Case, with regard to payment, the matrimonial suit shall be disposed of expeditiously, which is already at the stage of evidence.

This Court has not gone into the merits of the case and the matter will be decided by the learned Court below on its own merits and independently.

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

This revisional application is, thus, 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.)