

4th March, 2021
(D/L 14)
(SKB)

C.O. 436 of 2021
(Via Video Conference)

Somnath Bhowmik
Versus
Smt. Tinku Bhowmik

Ms. Devipriya Mitra,
Mrs. Juin Dutta Chakraborty
... for the petitioner.

This revisional application has been filed for expeditious disposal of Miscellaneous Case No.312 of 2018 pending before the learned District Judge, Alipore, South 24 Parganas.

Misc. Case No.312 of 2018 is an application for custody of the minor child filed under provisions of the Guardian and Wards Act, 1890. The petitioner is the father of the child. It appears that the written statement has been filed by the wife on June 18, 2019. Thereafter the said miscellaneous case has not been taken up for hearing.

In such circumstances, this revisional application is disposed of with a direction upon the learned court below to expedite the hearing of the Misc. Case No.312 of 2018 and dispose of the same at the earliest, preferably within a period of one year from the next date fixed, without giving unnecessary adjournment to either of the parties.

The interim application for visitation, if any pending, shall be disposed of within a period of three months from the date next fixed upon giving an opportunity of hearing to the parties.

This Court has not gone into the merits of the case. Learned Court below shall decide the case along with the interim applications, if any, independently and in accordance with law by giving the wife an opportunity to contest the same.

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

This revisional application is disposed of.

There will be however no order as to costs.

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

(Shampa Sarkar, J.)