

S/L 15
08.03.2021
Court. No. 19
GB

C.O. 455 of 2021

Sri Prasenjit Nath
Vs.
Madhuparna Nath nee Bose

(Through Video Conference)

Mr. Mayukh Maitra,
Mr. Rajesh Naskar.

...for the Petitioner.

This revisional application has been filed for a direction upon the learned Additional District Judge, 6th Court at Alipore, District 24 Parganas (South) to dispose of the Matrimonial Suit No.627 of 2017.

Records reveal that an application for maintenance was filed by the wife under the provisions of Section 36 of the Special Marriage Act, 1954. The said application has been registered as Misc. Case No.401 of 2018. Learned advocate for the petitioner submitted that Misc. Case No.401 of 2018 has been pending since long and no orders have yet been passed.

Under such circumstances, the learned court below is directed to dispose of the Misc. Case No.401 of 2018 expeditiously, within a period of six months from date.

This Court has not gone into the merits of the case and the learned court below shall decide the same in accordance with law and independently.

Upon disposal of the misc. case, if the petitioner/husband pays the maintenance as directed by the learned court below, the matrimonial suit shall be disposed of within a year thereafter. The proceedings may continue parallelly.

If the maintenance, as may be directed is not paid then, the learned court below shall not be bound by this order.

The petitioner is directed to serve a copy of this revisional application along with a server copy of this order upon the opposite party and also upon the learned advocate appearing on behalf of the opposite party in the learned court below.

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.)