

S/L 7
06.01.2021
Court. No. 19
GB

C.O. 871 of 2020

Sourav Chakraborty
Vs.
Srimoyee Chakraborty

(Through Video Conference)

Mr. Prosenjit Roy.

...for the Petitioner.

This is an application filed by the husband/petitioner in Matrimonial Suit No.77 of 2016 pending before the learned Additional District Judge, 6th Court at Alipore, District 24 Parganas (South).

The petitioner prays that the matrimonial suit along with an application under Section 24 of the Hindu Marriage Act being Miscellaneous Case No.19 of 2018 be disposed of expeditiously. It appears that the application for maintenance *pendente lite* has not yet been disposed of although the same is pending since 2018.

Under such circumstances, the learned court below is directed to dispose of the application for maintenance as expeditiously as possible, preferably within a period of two months from the next date fixed. It is also on record that the mediation has failed. Upon disposal of the miscellaneous case and if the petitioner regularly pays the maintenance *pendente lite* that may be awarded by the learned court below on the facts of the case, the Matrimonial Suit No.77 of

2016 shall also be disposed of expeditiously. This Court has not gone into the merits of the claim of the petitioner and the learned court below will dispose of the Miscellaneous Case No.19 of 2018 as also Matrimonial Suit No.77 of 2016 on their own merits.

The learned court below will proceed independently and in accordance with law without being influenced by any observations made herein and without granting any unnecessary adjournments to either of the parties.

The petitioner is directed to serve a copy of this revisional application along with 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.)