

23rd June,
2021
(AK)
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C.O 1197 of 2021

Dr. Suchi Karmakar nee Acharya
Vs.
Mr. Arnab Karmakar

Mr. Sakya Sen
Mr. Arindam Paul
Mr. Rohit Banerjee

...For the Petitioner.

Mr. Partha Pratim Roy
Mr. Chiranjib Sinha
Mr. Aniruddha Chatterjee
Mr. Dyutiman Banerjee

...For the Opposite Party.

Despite allegations and counter-allegations having been made regarding the conduct of the parties in the court below, the crux of the prayer to which the petitioner now restricts her reliefs is that the demurrer application filed by the defendant/petitioner be taken up for hearing along with the other applications, since the fate of the demurrer has a direct bearing on the result of the other applications as well as the suit itself.

Learned counsel appearing for the opposite party contends that a contempt application is also pending, which ought to be heard along with the other applications.

It is submitted that the prior hearing of the other applications may affect the fate of the contempt application.

That apart, it is argued that the petitioner herself was responsible for the delay occasioned, which is refuted by learned counsel for the petitioner.

Be that as it may, the purpose of justice will be subserved if the learned Trial Judge is requested to take up all the pending applications in connection with the Act VIII case on the next date, which is apprised by learned counsel to be June 25, 2021, by the Trial Judge.

Accordingly, C.O. 1197 of 2021 is disposed of by requesting the Additional District Judge, Sixth Court at Alipore to take up for hearing all pending applications in connection with Act VIII Case No.37 of 2021 before the said court on the next date of hearing, that is, June 25, 2021.

The learned Trial Judge is further requested to pass final orders on the demurrer application as well as the other pending applications, including the application for review and contempt application, within a fortnight thereafter peremptorily.

The learned court below as well as the parties shall act on the written communication of the learned advocates for the parties and/or server copy of this order without insisting upon prior production of a certified copy.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)